103

THE UNITED NATIONS AT FIFTY

Y 4. F 76/1: UN 35/100

The United Nations at Fifty, 103-2...

HEARING

BEFORE THE

SUBCOMMITTEE ON
INTERNATIONAL SECURITY, INTERNATIONAL
ORGANIZATIONS AND HUMAN RIGHTS

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

SECOND SESSION

OCTOBER 24, 1994

Printed for the use of the Committee on Foreign Affairs

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THE UNITED NATIONS AT FIFTY

MONDAY, OCTOBER 24, 1994

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON INTERNATIONAL SECURITY,
INTERNATIONAL ORGANIZATIONS AND HUMAN RIGHTS,
Washington, D.C.

The subcommittee met, pursuant to call, at 10 a.m., The Board Chamber, San Francisco City Hall, San Francisco, California, Hon. Tom Lantos (chairman of the subcommittee) presiding.

Mr. LANTOS. The Subcommittee on International Security, International Organizations, and Human Rights will come to order.

The subcommittee today will consider the topic, "The United Nations at 50," and we will examine the past of this organization and consider its future as it reaches the half-century mark.

The time and place of our hearing today are most significant. Today, October 24, as I am sure all of you know, is U.N. Day. It was on this day in 1945 that the Charter of the United Nations formally came into force and the United Nations officially came into existence.

This is the beginning of the 50th year of the United Nations. The place of our hearing is equally significant. San Francisco is the birthplace of the United Nations. Here in this city 50 years ago, the organizing conference which led to the establishment of the United Nations took place. In fact, it was just across the street from where we are meeting today in the War Memorial Opera House that the organizing meetings were held in June of 1945.

Today, as we commemorate the 50th anniversary of the establishment of the United Nations, it is highly appropriate that the Congress examine the future of the U.N. and the relationship between the United States and the United Nations in light of the U.N.'s first half-century.

When the United Nations was established in 1945, there were great—and probably unrealistic—expectations about the role that the U.N. could play in making the world a safer and better place. Initially those high expectations were dashed upon the hard realities of the cold war, and the U.N. had over four decades of Soviet vetoes and obstructionism. I do not want to emphasize only the negative. Since 1945, the U.N. has made enormous contributions to peace, to commerce, to development, and to the rule of law. But clearly, the U.N. did not live up to the initial expectations that were so high in 1945.

With the end of the cold war less than 5 years ago—and our distinguished opening witness deserves a great deal of credit for end-

ing that cold war—we have again had great expectations for the United Nations. America and Russia have cooperated through the U.N. on a great number of foreign policy issues in ways that would have been inconceivable during the cold war.

Again, however, these high expectations for the U.N. in the post-cold war era have been dashed—this time because of fundamental structural weaknesses in the U.N. itself, and by virtue of the fact that the United Nations is a very difficult reality. It does not function unless its member states allow it to function, unless its member states are provided with the resources with which to function, unless the member states have the political will to permit it to operate.

The U.N. does not have its own resources. It must go begging to various nations seeking funds, personnel and other resources for every major individual new project.

Secondly, the U.N. organization is so weak and ineffective that it cannot handle the problems that we expect it to deal with. These failures in the last few years have been particularly evident in Somalia, Rwanda, Bosnia and elsewhere.

In the post-cold war world, the relationship between the United States and the United Nations, which has never been an easy one, has become more strained in recent times as the United States has differed publicly with the U.N. over mismanaged operations in Somalia and Bosnia and as U.S. assessments for peacekeeping operations have come under increasing scrutiny by the Congress and by the administration. At the same time, with the dramatic changes in the world, we have higher expectations of the role of the United Nations in this post-cold war era.

Our former Attorney General and former Governor of Pennsylvania, Richard Thornburgh, expressed this paradox well in a report on U.N. reform that he presented to this subcommittee last year. And I am quoting:

"Today's United Nations faces totally unprecedented challenges and opportunities. With the end of the cold war, the organization has shifted its focus from passively refereeing ideological differences to actively addressing pressing challenges in peacekeeping, humanitarian endeavors, economic and social development and human rights. In the 1990's, the United Nations has, in fact, been empowered to return to the very mission intended by those who adopted its charter in 1945.

"While this is an exciting era at the United Nations, it must be acknowledged that the organization today truly stands at a crossroads as to whether or not it can effectively adapt to these changing times. It must be added that many doubt that it can do so."

It seems to me that the United Nations is facing a serious dilemma. On the one hand, the United States would like to see the U.N. assume greater responsibilities in order to alleviate some of the pressure on us to maintain international order, since we are the only remaining superpower with a global military reach.

On the other hand, there is great doubt among the American people and among many of my colleagues in the Congress about whether the U.N. is capable of fundamental reform and organizational restructuring that is essential for it to function effectively and coherently in order to carry on its new role.

One serious problem is that the post-cold war world is a more complex and difficult place than was the old polarized one. While no one laments the passing of the former Soviet Union, the end of the bipolar world has given way to a world fractured by ethnic, religious and racial hatreds that have unleashed their own virulent forms of conflict and misery. The international community is expecting the United Nations to mediate conflicts around the world, as well as to deal with the resulting millions of displaced and wounded victims. This would be a tall order for any organization to fill.

There have been important successes for the United Nations, even if expectations have been higher than achievements—in El Salvador, the U.N. helped to end the civil war by overseeing demobilization of the warring forces and implementation of the peace agreement; in Cambodia the U.N. conducted elections that drew more than 90 percent participation; and earlier this year in South Africa, the presence of U.N. observers contributed to the legitimacy of the first all-race elections in that country. In addition, some U.N. specialized agencies such as the U.N. High Commissioner for Refugees provide not only hope but literally a lifeline for millions around the globe.

Nevertheless, the U.N. has stumbled in places such as Somalia and Rwanda, and, of course, in the former Yugoslavia. We Americans view U.N. peacekeeping with growing wariness. It is likely to remain an irritant in U.S.-U.N. relations for a long time to come.

There are very serious questions in the area of peacekeeping—the rising number of peacekeeping operations and their mounting cost, the role of regional security organizations such as NATO, and tradeoffs between unilateral and multilateral intervention, and problems of command and control of complex peacekeeping operations.

There are also fundamental organizational and management questions. After half a century, should the Security Council be expanded to include additional permanent members, such as Germany, Japan, India, Nigeria, Brazil or others?

What can be done to assure greater efficiency of operation and control of U.N. costs?

The U.N. is establishing an American-style Inspector General at the insistence of our Congress, but will the U.N. organization see that this innovation in fact accomplishes the improved operations we are hoping for?

The basic problem, of course, of the United Nations is that it is functioning at a period in history when change is accelerating at an alarming rate. What we need really is preventive diplomacy and early intervention.

The U.N., in all of its history had only two collective actions against aggression—In 1950, in Korea, which was possible because the Soviet Union at the moment boycotted the U.N. protesting the presence of Nationalist China in China's seat in the U.N., and in Kuwait in 1991.

The number, scope, and complexity of peacekeeping missions is clearly way beyond the current U.N. capabilities and resources. Some are advocating a permanent volunteer force. The financial

problems of the U.N. alone are staggering. The organization owes $1.7 billion and has less than $400 million in the bank.

It is also owed over $3 billion by its member states and is operating at a monthly cost of $400 million. There have been many new and creative proposals for financing its activities. The Australian Foreign Minister proposed that foreign exchange transactions, taxed at the rate of 1/1000ths of 1 percent, would bring in $30 billion.

Others are proposing the placement of taxes on international airline tickets. But whatever the recommendations for structural change—putting the financial foundation on a solid footing—we have an enormous job ahead of us next year or so in restructuring the United Nations.

Today, we are extremely fortunate to have a very distinguished panel of expert witnesses who will address these and other questions regarding the United Nations.

Before introducing our opening witness, Secretary Shultz, I would like to turn to my good friend from Nebraska, Ranking Republican on the subcommittee, Congressman Bereuter; and I want to welcome him to San Francisco.

Mr. BEREUTER. Thank you very much, Mr. Chairman.

I am pleased to participate in the field hearing of the Committee on Foreign Affairs, held for both historic and substantive reasons, in the city where the United Nations was established. For me, it is a little bit of a homecoming, as I once lived here as well.

It is clear that Americans approach the 50th anniversary of the founding of the United Nations with a certain degree of mixed feelings. On the one hand, virtually everyone recognizes that the U.N. performs some extraordinarily important work. From the response to aggression against South Korea in the 1950's, to Kuwait in the 1990's, the United Nations was the mechanism through which the United States organized a collective response to international aggression.

The U.N. election observers have been on hand in places like South Africa, Cambodia, and El Salvador. UNICEF, the World Health Organization, and the World Food Program feed and provide basic health services to literally tens of millions of suffering individuals.

The U.N. Development Program has been the leading agency in focusing on women in developing countries. Time and again, the United Nations has proven itself to be invaluable.

At the same time, Americans tend to look with caution at some of the more grandiose schemes that have recently come from the mouths of U.N. bureaucrats. Americans are, for example, skeptical of notions of a U.N. Army, and surveys demonstrate that virtually every American agrees that when U.S. troops are serving as peacekeepers, they should never be placed under the command of a foreign commander.

In recent years, we have seen U.N. bureaucrats make dangerous calculations regarding peacekeeping and peace enforcement, and we have seen Secretary General Boutros-Ghali's aspirations of nation building come crashing down. And, there are great concerns about an increasingly inefficient, wasteful and arrogant U.N. bureaucracy that seems answerable to no one.

When we look at the evolving role of the United Nations, there is a tendency to focus now on peacekeeping activities. This is, I think, understandable. Over the last few years, the number of blue helmets have increased from less than 10,000 to over 90,000.

Peacekeeping is certainly an important part of the U.N. story. But this is an appropriate occasion to pose some basic questions about the institutional structure of the United Nations, and we have some people who are experts to help us do that.

For example, can a General Assembly function effectively with 184 members, each with a single vote? Does it have too little impact vis-a-vis the Security Council? Is it fair to expect the United States to provide over 30 percent of the U.N. costs? I know in my brief service there as a delegate to the 42nd General Assembly, I came away very depressed with how difficult it was to accomplish things.

Is the Security Council an outmoded instrument? And should we expand the number of permanent Members of the Security Council? We all know, as the Chairman said, that Germany, Japan, Nigeria, Indonesia, India, Brazil, and other would-be permanent members are, in effect, lobbying to change the Security Council makeup. Is it time for fundamental changes?

How does the United Nations move away from its current pattern of bloc voting with the Latin American nations, African nations, and others frequently voting as a single bloc? This has led to a situation where improper behavior by certain countries is condoned because various voting blocs unite to prevent a response.

And what does the United Nations do about countries that have ceased to function as member states? What do we do when a member becomes a "failed state"?

The history of the United Nations has been one of expanding sovereignty to all corners of the globe. Is it time to focus on the responsibilities that go with sovereignty? I believe, Mr. Chairman, these are fundamental questions.

During the 103d Congress, under your able leadership, this subcommittee has devoted considerable time looking at many of these questions. I take some satisfaction noting that this subcommittee's investigations have played an important part in pushing for the establishment of a U.N. Inspector General with some true authority to root out corruption.

I would also note that this subcommittee was among the first voices raised in support of reducing U.N. annual peacekeeping contributions to 25 percent of the U.N. budget, down from the current 31.7 percent.

Under the leadership of Tom Lantos, we have pursued these issues because it is in the interests of the United States that we do pursue them. I would note we have made these efforts on a bipartisan basis. In so doing, we have attempted to make the United Nations stronger and work more effectively.

So much remains to be done. I believe America needs to continuously reevaluate and redefine its relationship with the United Nations. Meetings such as the hearing we hold today will undoubtedly help the Congress to understand the evolving nature of the United Nations and it should help the Committee on Foreign Affairs to more effectively conduct oversight in this important area.

Mr. Chairman, I congratulate you on assembling an outstanding panel of witnesses. I would especially like to welcome Secretary Shultz, a distinguished American. I look forward to hearing the testimony of all our witnesses here today, and I thank you for your initiative in holding this hearing.

Mr. LANTOS. Thank you very much, Congressman Bereuter.

Before introducing my good friend and colleague from San Francisco, let me just say that a great deal of the credit for the bipartisan character of this operation goes very strongly to you and to the Republican staff. And I want to take this opportunity to thank Mike Ennis of the Republican staff, Beth Poisson of the Democratic staff, and, of course, the Subcommittee Staff Director, Dr. Robert King, for their outstanding work throughout the term, and also in the preparation of this meeting.

It gives me extraordinary pleasure to introduce my very good friend, my neighbor, Congresswoman Nancy Pelosi. Nancy Pelosi, in a very short period of time, has become one of the most effective leaders in the Congress of the United States and on an enormous spectrum of issues. Her persistence, her intelligence, her integrity, and her leadership qualities have made a mark on national policy. I am delighted that she has joined the subcommittee for this hearing.

Ms. PELOSI. Thank you very much, Mr. Chairman, for your very kind words.

As one who is your colleague in representing San Francisco in the Congress of the United States, may I say what a source of pride it is to all of us in San Francisco, indeed you bring honor to the State delegation, the California delegation in your role in Congress, particularly today as Chair of the International Security, International Organizations and Human Rights Subcommittee on the Foreign Affairs Committee.

I want to, as your colleague in representing San Francisco, join you in welcoming Congressman Bereuter and associate myself with your remarks about him. Although I do not serve on your committee, I have served with him on the Banking Committee and note that bipartisan cooperation is the hallmark of his service in Congress.

As I mentioned, I don't serve on this committee, I do serve on the Foreign Operations Committee of the Subcommittee of Appropriations, and our committee does not move until we hear from your committee. So, indeed, we are very interested in what policymakers, the authorizers have to say. That is why this hearing is very important today, because the U.N., of course, has a gigantic role in promoting the principles, as they have been presented to us in the Foreign Operations Committee by the Clinton administration, to promote sustainable development and all the accompanying population issues that go with that—to promote peace, to promote human rights, to provide humanitarian assistance, to assist in economic growth, and as Mr. Bereuter and our Chairman have mentioned, in relationship to women's involvement in development, even issues like AIDS, which we are so familiar with here, have now a strong international piece, and the U.N. can play a strong role in attacking that problem as well.

Mr. Secretary, I want to take a special point of personal privilege to welcome you to San Francisco, joining our Chairman, Mr. Lantos. We are indeed fortunate that you are a resource to us locally here, as you are a resource nationally and internationally. But it is an honor for us any day of the week that you are in San Francisco and give us the benefit of your thinking.

Again, I want to acknowledge Mr. Lantos' role and his leadership on international issues in the Congress. Not only as Chair of this subcommittee, but also as co-Chair with Mr. Porter of the Human Rights Caucus, because of his personal experience, because of his personal commitment, because of his immense knowledge on the subject, and because of his boundless energy in attacking any violations of human rights and assault on human worth and dignity throughout the world, he is a true champion and a true hero.

Most recently, he demonstrated this week in his very rigorous opposition to Proposition 187. While that may not be pertinent to the restructuring of the U.N., it is certainly relevant to the fundamental belief that we all have in the dignity and worth in every person. And any chance I get I want to say how proud San Franciscans are that we are represented by Tom Lantos in the Congress and the fine work he does there and the leadership he provides on these very important issues.

I certainly associate myself with the questions presented by my colleagues concerning the United Nations. I, too, am concerned about the structuring and makeup of the Security Council.

Mr. Secretary, I may say, this summer I have traveled in Eastern and Central Europe and the former Republics of the Soviet Union, and what was interesting to me is when I asked some leaders in those countries whether they would welcome the participation of international organizations in addressing issues of racial hatred and violations of human rights, et cetera, in some cases, they were enthusiastic in this response of yes.

And in other cases, they would say, why don't we just settle that ourselves? I found that frightening, especially since some of these places did not have a fine record of settling those in a peaceful way.

In any event, this hearing is very important. The future of the U.N. is very important. And I very much look forward to hearing Secretary Shultz's remarks, as well as those of the other distinguished panelists.

Once again, Mr. Chairman, thank you very much.

Thank you, Mr. Bereuter.

Mr. LANTOS. Thank you very much, Congresswoman Pelosi, for your most generous comments and for your excellent observations.

July 16, 1982, is a memorable day on my calendar because, as Chairman of the Permanent U.S. Congressional Delegation to the European Parliament, we were at Stanford University when the announcement of Secretary Shultz's appointment to be Secretary of State took place. It was on that day that the Secretary was sworn in as the 60th U.S. Secretary of State, and he served with extraordinary distinction until January 20, 1989.

It is an understatement to suggest that Secretary Shultz is one of the great statesmen of the 20th century. I am profoundly grate-

ful for having had the opportunity of serving on the Committee on Foreign Affairs during his entire tenure as Secretary of State.

Dr. Shultz graduated from Princeton where he received his Bachelor's Degree in Economics in 1942. He joined the U.S. Marine Corps in that year and served with enormous distinction through 1945.

In 1949, he earned his Ph.D. in Industrial Economics from MIT. He taught at that institution for a decade while serving, during a year's leave of absence, as a Senior Economist on the President's Council of Economic Advisors.

In 1957, Secretary Shultz was appointed Professor of Industrial Relations at the University of Chicago's Graduate School of Business. He was named Dean of the Graduate School of Business in 1962. From 1968 to 1969, he was a Fellow at the Center for Advanced Study in Behavioral Sciences at Stanford.

Secretary Shultz served as Secretary of Labor in 1969 and 1970, subsequently, as Director of the Office of Management and Budget. He became Secretary of the Treasury in May, 1972, and served with great distinction through 1974.

For a long period of time, between 1974 until his appointment as Secretary of State, he was President and Director of the Bechtel Group in San Francisco. He also served part-time during this same period on the faculty of the Stanford University.

Following his distinguished service as Secretary of State, a service that was characterized by a high degree of intelligence and analytical capability; leadership qualities; and most importantly, unparalleled integrity he returned to Stanford as Professor of International Economics at the Graduate School of Business and became a Distinguished Fellow at the Hoover Institution.

He has a tremendous range of enormously valuable publications, the most important of which is, "Turmoil and Triumph, My Years as Secretary of State."

I must admit, Mr. Secretary, I just recently finished reading it for the third time. It is so meaty and substantive that a couple of readings didn't do it.

Secretary Shultz holds honorary degrees from a number of distinguished institutions—from Princeton to the Hebrew University in Jerusalem.

We on the Foreign Affairs Committee are profoundly honored that you have accepted our invitation. I want to invite you to proceed with your testimony any way you choose.

STATEMENT OF THE HON. GEORGE P. SHULTZ, FORMER SECRETARY OF STATE, DISTINGUISHED FELLOW, THE HOOVER INSTITUTION

Mr. SHULTZ. Thank you, Mr. Chairman.

I appreciate the chance to appear before this subcommittee. And I appreciated your own opening comments and the opening comments of your colleagues, Congressman Bereuter and Congresswoman Pelosi. And I appreciate the chance to appear before them.

I appreciate your opening comments, particularly your plug for my book. I hope a lot of people wrote that down.

I serve as cochairman, one of the cochairmen of the San Francisco effort that marks the anniversary of the U.N. And I know all

of us working on that appreciate the fact that you are here on U.N. Day to call attention to what we are trying to do.

We have a lot of programs that we are planning. They are going to be very interesting and exciting. Everybody should come. Among them are former U.N. Ambassadors, U.S.-U.N. Ambassadors, I think we have 10 who have accepted to come and be part of the panel. I can hardly wait to be part of the colorful change between Pat Moynihan and Jeane Kirkpatrick.

Everybody should come to the San Francisco celebration. But as we have talked about it, we have thought very much in the line, as it turns out, of the opening statements made by all three of you; that this is not an occasion when we just throw our hats in the air. It is more an occasion where if we want to be helpful to the U.N. in the future, we should be thoughtful, and we should recognize that there are real problems as well as opportunities, and we should make this an occasion for a serious examination in a constructive spirit, but nevertheless, a serious examination of what the issues are and what things could be done to allow the organization to work well in the future. So that is kind of the spirit of my testimony.

And what I will do is first talk about six ideas that it seems to me should be borne in mind having to do with international organizations generally, not just the U.N., but mostly I will address the U.N., and then I will give a few examples of areas where it seems to me the U.N. has operated effectively and some where it has not operated effectively, to see what instructs us, so to speak, by looking at these examples.

So that is what I thought I would do here this morning.

The first point I would like to make is——

Mr. LANTOS. Can you in the back hear the Secretary?

Mr. Secretary, could I impose——

Mr. SHULTZ. How is this?

Mr. LANTOS. Much better.

Mr. SHULTZ. The first area I would like to explore and comment on is this: If the U.N. and some of the associated regional and economic organizations did not exist, we would have to invent them, because they are needed. And it would be much more difficult to invent them today than it was when they were invented and put into being here in San Francisco, or at least the U.N. was here, 50 years ago.

They provide a forum for a big world that, as you noted, is very diverse. They undertake quite a variety of tasks; peacekeeping and peacemaking, and such things as Congressman Bereuter noted, draw the attention right now, but there are a lot of other things that are done by these organizations. And it is hard to see how they could be done if you didn't have some organized way to do it.

So anyway, my first point, therefore, is that these organizations are needed. That only underscores the importance of not abusing them, not using them in a wrong way and trying to use them in a way that will help them succeed.

So as you will see by what I say subsequently, that calls for some restraint, for some choice, for some recognition that these organizations can only do what the countries of the world, and I think you

have to say, largely the great powers, decide they want the organization to do.

So anyway, that is my first point. These organizations are needed. If they didn't exist, we would have to invent them. And if we set about that task today, we find it is very difficult. Therefore, let's handle them in such a way that we don't destroy them, because if we were to do that, we would find ourselves in trouble.

But I think at the same time it is very important that each country, especially any major country, recognize it has to conduct its own diplomacy. It is not confined to international organizations. For the United States it is very important that we figure out what our interests are, as we approach Russia and the other former Soviet states, as we approach the countries of Central Europe, of Western Europe, as we approach China, Japan, Southeast Asia, the Latin American countries, and so on.

We have big bilateral stakes, big relationships with multinational organizations that characterize different parts of the world. And we have to conduct that diplomacy as a country, just as other countries do.

So we can't sort of hand everything over to the U.N. That is the first big lesson, it seems to me.

The second point I would like to make is related. Since it is difficult to give these operations credibility, we have to be careful not to misuse them. And when we use them effectively—and I will give some examples, you gave one, maybe more than one, but they are all sort of qualified—we run them down. And I think we have to put the criteria up there for how to judge these operations.

And the tests have to be operational. And the criteria that we have to keep applying all the time is competence. And ask ourselves, as an operational matter, are they competent? Do they execute what they are supposed to do correctly?

The third point I would make is that it seems to me that these organizations need to be thought of in part as custodians of standards and operate according to certain ideas that if you don't get in your mind, you are going to make bad mistakes. Let me mention what some of these standards are, or ideas are:

The first is that if you are going to be successful in conducting diplomacy, whether you are the United States or the U.N. or anybody else, you have to have some strength behind your efforts. Strength and diplomacy are not alternative ways of going about things. They are complementary ways of going about things.

So if you project the U.N. into some conflict-laden situation where force is being used, and you say, the U.N. goes and tries to operate there without any capability, it is suicidal.

So strength and diplomacy go together. They are together. It is an ancient rule in our own republic. And I am very fond of calling people's attention to the Great Seal of the Republic. And I don't know how many people here have looked at it carefully. But, you know, the centerpiece is an Eagle. And the Eagle is holding in one claw, arrows, and in the other claw, an olive branch. And if you look at renditions of that Great Seal going back earlier in our history are the Eagle always looking at the arrows, which I suppose is understandable. The British are burning the White House and we are struggling, and very conscious of that.

After World War II, President Harry Truman noticed that in a seal that was in the White House. He decided to change it. He wrote an Executive Order and he got the Congress to support it. And the agenda was that henceforward, the Eagle would always look at the olive branch to show that the United States would always seek peace. But the Eagle would always hold onto the arrows to show that the United States understands that if you are going to be effective in seeking peace, you must have strength.

So strength and diplomacy go together. And that is so whether you are talking about the United States or you are talking about the United Nations.

The second thing is, it seems to me the U.N. ought to aspire to raise standards of behavior. There are lots of things wrong with what has happened in Bosnia, and I am going to comment later on it, but one of them, the return in Europe of the concept of ethnic cleansing. I keep reading that the U.N. is going to get up a mission on human rights, and I keep waiting, hoping that something effective can be done that stands for some standards about how leaders behave.

And I read this, the U.N. sends somebody to Yugoslavia and they say, there is not much chance that we can get the people responsible, and, therefore, let's not do anything. I don't agree with that at all. If you have standards and you accumulate evidence, even if a person isn't there, you can accumulate the evidence for an indictment.

I think we should have done this in the Iraqi invasion of Kuwait. We should be doing it in Bosnia. We should be doing it in other places. So that as time evolves, kind of like the common law, the world gives more reality to ideas about how human beings behave toward each other.

You can't just snap your fingers. We don't need more statements, because we have got statements. The Universal Declaration on Human Rights says it all. What we need is operational capability. And I think the U.N. should try to do that.

Then I think the U.N. should conduct itself in such a way that it combines principles as well as interests with power. Power enables countries to serve their interests. And the U.N. will get somewhere when it is able to develop muscle. But always it needs to be done in the framework of principles.

I think that of tremendous importance is the effort of the U.N. to be competent in what it does. And there are all sorts of examples that show otherwise. I just picked up the other day a newspaper report. When you are out of office, you are reduced to newspaper reports. When you are in office, you deplore the newspapers. But anyway, here——

Mr. LANTOS. Some of the CIA closed briefings are like yesterday's newspaper reports, Mr. Secretary.

Mr. SHULTZ. Says here—this is referring to Mozambique. "The U.N. has an effective way to keep the peace process on track but the management of Mozambique has been a showcase of incompetence. A cable from the U.S. Embassy lays out a sorry tale of bickering, decay and occasional paralysis among the U.N. organization that is involved. U.S. charges may be exaggerated or unfair, but people from several international organizations working in Mo-

zambique say they are broadly accurate. According to the cable, a source of many of the delays was the U.N. Office for Humanitarian Affairs Coordination, which was formed in December 1992." This is a quote from the cable. "Seemed to operate on the arrogant assumption that it knew best. It took over tasks others were already performing and often slowed down projects that were underway. Aid money from various nations was scooped into a trust fund that the U.N. controlled, an arrangement the United States found to be a disaster in most cases. When they took over the mine clearing operation in Mozambique,"—that is very vital—"paralysis crept in." According to the U.S. cable, a $5 million contract to clear key roads was delayed for 18 months, even though the project was categorized as a, quote, "emergency within the U.N. bureaucracy," and so on, it goes on.

That kind of thing destroys people's confidence in an organization and their willingness to support it. So the standard of competence has got to be there, very much.

Fourth, I think it is well to keep in mind, that the U.N. in particular, and international organizations in general, are best looked at as processes. These are not organizations that can do anything. They are not independent units of action. They are a place that organizes process. So they take their direction and draw their strength from their constituent nations, especially the larger ones. So somehow if you start to conceptualize the U.N. as an independent unit of action, and they should go and do this or that, you are headed for deep trouble. It has to be viewed as a process.

So my fifth point then is the fundamental unit of decision and action is the state. And states must decide whether and when to put international organizations into play. So this only underscores once again the initial point I made about the importance of our bilateral relations and our basic diplomacy, because it is through our relations with other countries who are also in the U.N., that we lobby and work and develop views and whatnot that can, when appropriate, put the U.N. into play as an organization and allow it to be effective.

Which leads to my final point, that if we use the organization properly, what that demands is that resources and strength accompany a commitment, otherwise, the international organization founders, and this abuse reduces its credibility. So if we ask the U.N. to do something and we don't support it, the U.N. is going to fail. That debilitates it. We shouldn't ask it to do things if the system is rigged in such a way that it can't do it.

And when we ask the U.N. to do something, then we should be ready to support it. It is easier said than done. And you get into all the questions of burden-sharing, not just the United States, and I believe as many of your statements suggested, that the relative burdens borne by the United States should be reduced in keeping with our proportional share in the world campaign. So those are some general ideas.

Now, let me comment on a few areas, and I will comment on things that I had some contact with, because I know them a little bit better. But first of all, in southern Africa, was the process of bringing about the independence of Namibia, which happened right at the end of the Reagan years, and we worked on it throughout

the Reagan period. It was not as noted as it should have been as an event, it was the end of apartheid in Namibia, and South Africa withdrew from Namibia, making that possible.

So there was a certain precursor element to what happened in Namibia. But in Namibia there was a prethought-through, rather ambitious U.N. process to be there as people established a constitution, as they voted for the constitution, as they then implemented the constitution and elected the people that were going to govern.

And it was a major effort. It took quite a lot of money to put that in place. But anyway, that was followed through on. The United States led it. And it worked. And I don't know in detail about Namibia today, but from all I can understand, it goes along pretty well.

Now, right next door is Angola. Angola has had, for almost 20 years, a civil war. And there have been various efforts to mediate it. I think by this time the parties all can see they can't win militarily, so that is a big incentive to try to come together.

And a couple of years ago, there was success. I think Portugal in particular, was instrumental, since it was a former Portuguese colony, but the United States played its part at any rate with the U.N., and an agreement was reached to end the civil war between the dos Santos regime and Savimbi, and arrangements were made for an election. A critical element was to disarm the warring parties, and they agreed to that, and to constitute a national military regime and so on. And it had to be implemented.

And what happened? Hardly any money was put into it. So the U.N.'s effort was minuscule as compared with the effort in Namibia. And it all kind of came apart at the seams, and we are right back where we started from.

I read the other day that this agreement had been put back together, but it still doesn't quite gel. So I say that was a gigantic missed opportunity. And you can't say for sure, but probably if the resources that had been committed in Namibia were matched in Angola, that would be an operating place, and that would be a big contribution to southern Africa.

I might say, we have a big stake in this country, in what goes on there, because we have got a great deal of our oil supplies coming right from that area, to the United States. It is a very rich country. If you can get the railroad going, place it in some more pacified state, Angola would be a big contributor to southern Africa generally, and southern Africa, as we all know, can be a bountiful place economically under the right circumstances. The circumstances seem to be coming about as we see the events in South Africa.

So here was a big opportunity, and it was missed. And I think the reason was that not enough effort was put into it, and it could have been put into it.

Let me turn to the Iran-Iraq War. Remember? People think all the disputes in the Middle East involve Arabs and Israelis. The bloodiest disputes are Arab-to-Arab, as it has turned out, or Muslim-to-Muslim.

In the Iran-Iraq War, there were over 1 million casualties. It was a difficult situation for the United States to mediate, although as it turned out, I believe the show of strength and the use of the

strength of the United States in the Persian Gulf in 1986 and 1987 under the leadership of President Reagan played a big part in facing Iran down and making it clear that Iran was not going to be able to shut down the Persian Gulf.

And in the end, it contributed to U.N. sanctions. And the resolution was couched in a way that didn't just focus on the Persian Gulf. So it was fair to Iran. The sanctions attempted to produce the cease-fire, general cease-fire. And it was the first time in the history of the United Nations when all the members of the Security Council voted for this most severe U.N. action. I was privileged to go and represent the United States and vote aye. The Soviet voted aye, the Chinese, everybody voted. And it was a good moment from that standpoint.

And that didn't end things. But it was the beginning of the end. And it was only a matter of some months before finally we got cease-fire.

So here was an example, as in the case of Namibia, where there was a lot of work by the United States, a lot of work by other countries. At the same time, the U.N. process was used effectively and intelligently to play its part in bringing about a result that we desired.

So it isn't correct to say that the U.N. did this. But it is correct to say that the U.N. as an agency played a key control. As I said in the beginning, if we hadn't had the U.N., we would have had to invent something like it in order to bring about the result that we wanted.

And then there is the question of the Soviet invasion of Afghanistan. And, of course, the basic reason why the Soviets left Afghanistan was that the people of Afghanistan, with a lot of help from us and from other countries, made a very inhospitable place for the Soviets to be. So they knew they wanted to leave.

At the same time, the U.N. provided a forum and a means through which an agreement could be set up that helped to get the Soviets to leave promptly. And again, I went to Geneva and signed on behalf of the United States, in what has got to be the weirdest ceremony ever conducted, because we didn't recognize the legitimacy of the Afghan regime, but they were there, they signed, and the Pakistanis didn't recognize them either, but they were there, and they signed. And we were there as a guarantor, the Soviets were is there, Shevardnadze as a guarantor.

We each walked in separately from four corners of the room, we each signed the document, we each walked out, nobody shook hands, nobody smiled, nobody did anything, but the net result was that the Soviet troops left, and they basically left because of the power that the U.N. had nothing to do with.

On the other hand, the U.N. as a process was used in an effective way, with everybody glad to see it used, and it helped the process along.

You mentioned Cambodia. And I know less about the details of that, but it seems to me this is an example, and it is a good one to put into here, because as contrasted with these others; the United States played a part but did not play a leading part. But at any rate, a big U.N. effort was made, and without it, there was no chance of success. With it, it was questionable. But at any rate,

they brought it off. And Cambodia at least has got a half a chance now. But it took a big commitment of resources.

So those are some examples. I could give examples from other types of organizations such as the IMF or whatever. But I won't do that in the interest of time here. But I would like to comment on the situation in Bosnia.

And I think this is a disgrace. It is a disgrace for the United States, our performance. It is a disgrace of the Western European countries. And it is a disgrace for the U.N. It has made an absolute mockery out of the U.N. Any day you can pick up the newspaper—I, yesterday, was in New York. Here is the *New York Times*, Wednesday, October 19, and the headline says it all. "Bosnian Serbs Attack Aid Convoy," this is an aid convoy. "U.N. Rejects NATO Strike."

Come on. The U.N. people there don't have a clue about the importance of the use of power if you are going to have effective diplomacy. And somehow we have gotten into the frame of mind that we think the use of power by NATO is to take out a tank. It is ridiculous. Just ridiculous. And here the Bosnian Serbs stop, they exhibit their control by having total—the total ability to decide whether an aid convoy of the U.N.'s goes through or not. How humiliating.

When you put the U.N. in this kind of position, you are humiliating the U.N. You make us ashamed of the U.N. A lot of people are involved, you would have to say they are heroes, the individual people, to go and be doing what they are doing. But they have no chance.

And, Mr. Chairman, you know as well as I do, that the United States is totally complicitous in this ethnic cleansing that is taking place, because we supported the arms embargo. When you support an arms embargo through the U.N., knowing in advance that one side is heavily armed and the other side isn't, then you undertake an obligation to balance things or to prevent the side that is heavily armed from using their arms.

But we didn't do that. And the result has been ethnic cleansing. It is almost like it is honoring that idea, and murder, rape, mayhem, physical destruction. You watch the town of Dubrovnik being shelled, and your heart cries out, how is it that that is permitted? When really it would have been so easy to do something about it. But we didn't. And we don't.

So this is one of those cases where everything imaginable that is wrong is being done. And we do nothing about it. The world does nothing about it. The U.N. does worse than nothing. It would be a much better situation if the U.N. wasn't there. The U.N. personnel have only become hostages.

So you put more Bosnias into play, and pretty soon nobody—and incompetence, and pretty soon nobody will support the U.N.

So this is a painful example of abuse, where the U.N. is used but it isn't effective. It is worse than ineffective. And it associates itself as a result with shameful diplomacy and being made a mockery of, every day. And having no capacity to do anything about it. And even to the extent that the U.N. does have some power at its side, it is afraid to use it. NATO is ready, and the U.N. officials out

there rejected it. Those people have no business in the command and control of a military operation.

I agree completely with Congressman Bereuter who said in his opening statement, you quoted some poll of the American people. Since you quoted it, I assume you agree with it, that it would be a great mistake for the United States to put forces under the control of others. I agree with that. But if we are going to put our forces somewhere, we should put them there in a way that can be effective.

So there are lots of examples that could be used. I tried to pick some that showed where the U.N. was helpful and effective as a process, some where I think it has failed miserably.

But let me finally conclude, Mr. Chairman, by saying that this is a very important moment, in my opinion. People have noted that, you noted that in your opening statement. It is an moment of unprecedented economic opportunity, I think.

And at the same time, we are confronted with a political choice, and that is, is the situation in the world generally in terms of relations among nations and how they are conducted, is that going to be allowed to sort of deteriorate it into a kind of law of the jungle, or are there going to be some understood rules of the game somehow brought forward? And probably the U.N. process is one way in which to do that.

There is, obviously, a primary responsibility on the part of the major powers. And at the same time, they can use the U.N. and try to distinguish out what its essential role is, and use it where it can work, and when it is used, be sure it is used with competence and strength so that it can be successful.

Thank you, Mr. Chairman.

[The biography of Secretary Shultz appears in the appendix.]

THE PROPOSAL OF A U.N. MILITARY FORCE

Mr. LANTOS. Well, I want to thank you very much, Mr. Secretary. Your testimony, like your book, is so rich in analytical substance and in experience that one has very little difficulty raising a number of issues with you, if I may, and ask you to expand.

You have made a number of very critical points. One of these, obviously, is that the U.N. needs the resources to do the job; and, unless the member nations are ready to offer the resources, it is unrealistic and counterproductive to task the U.N. with certain assignments when it cannot carry those out.

Some people have recommended, since the U.N. needs resources and there is a need in many situations for instantaneous action which, some agrue, requires a U.N. military force, that the U.N. cannot really go about constructing on an ad hoc basis, responding to each particular crisis, national units. Instead, because intervention can result in infinitely less resources needed to deal with the problem, there needs to be a U.N.-ready force that could be put into such situations.

To give just one example, I suspect the best estimates are that half a million human beings were killed in Rwanda. It is probably not unreasonable to suggest that a well-equipped U.N. force of 5,000 could have saved the lives of most, if not all, of these people.

But, the U.N. did not have its own capability; and it could not call on others to move.

In sharp contrast to the Rwanda situation is our recent action with respect to Kuwait. The United States decided that it would not allow the possibility of another Iraqi invasion. Iraq was served notice that if it moved it confronted the United States, and possibly others. Subsequently, this crisis was diffused.

Do you feel, Mr. Secretary, that under the present circumstances the U.N. could develop its own deployment force of whatever size, depending on the air power and logistics of the great powers (the United States, the U.K., etc.)? Or, do you think that it is an unrealistic expectation in the short term and that the U.N. will continue to have to operate in terms of ad hoc military combinations that are pulled together as the crisis develops?

Mr. SHULTZ. I would oppose that. I don't think it is desirable, and I don't think it is practical. The U.N. has shown absolutely no promise of the capability needed to exercise all of the things that you have to do to have a competent military force and field it. That is not an easy thing to do.

Now, the examples that you gave, I think in Rwanda, the problem wasn't that the U.N. didn't have a force ready for deploy. The problem was that the great powers were not settled in their minds whether it was a good idea, and it was the United States in particular, that held back, the Clinton administration through a spanner into the efforts that were under discussion in the U.N. on Rwanda. And finally the French got so exasperated they announced to the U.N., we are going to go there whether you like it or not. And so the U.N. finally endorsed the French, and at first many people objected because the French had been there as colonial powers, but by the time they had been there a little while and by the time their withdrawal arrived, everybody was pleading with them to stay.

And the French being typically French, they decide what they are going to do, they announce what they will do, and they do it. They announced they will withdraw on a certain date, and they did it. But that was not the exhibition of the problem of having a U.N. force. It was an exhibition of the lack of agreement among the powers.

Now, let me say, you mentioned the recent activity in Iraq toward Kuwait, and the response of the U.N. I would say to you, that was not a response of the U.N. That was a response of the United States. If we had had a U.N. force and we had had to use the U.N. force for that purpose, we would still be waiting, because I don't think it should be lost on anybody that the Russians were not ready to support that. And they are nurturing their historic ties with Iraq.

Earlier in the hearing, the examples of Korea and Kuwait were mentioned. And of course, they were U.N. operations. But they were—surely everybody would have to agree, they were U.S. operations. And we, I think, very skillfully, President Truman and President Bush, conducted them in such a way that they had a U.N. umbrella, fortuitously in the case of Korea, but anyway, they were basically U.S. operations, just as the most recent was a U.S.

operation, and President Clinton got it under a U.N. umbrella, that was fine.

But I might say, I think it is a mistake if we get ourselves and the United States in a frame of mind where we feel we can't do anything unless the U.N. approves of it. That was one of the problems with the Haiti operation. I think if something is wrong in our neighborhood and we feel that something should be done, if the United Nations doesn't like it, we shouldn't feel we can't do things that are in our security interests.

So anyway, in terms of the U.N. force, I wouldn't favor that.

Mr. LANTOS. I fully share your view. As you know, the very distinguished former U.N. official, Brian Urquhart, who testified before our subcommittee does favor an independent United Nations deployment force. But, I think it is naive to expect it to function; and I fully share your view that the U.N., for the foreseeable future, is clearly not equipped to handle its own military force.

Mr. SHULTZ. The idea of financing things, that is a very expensive thing, as we all know, to start financing a military establishment and get it equipped and trained and have it exercised and so on, let alone deployed. So people are constantly reaching around about money. And you mentioned some proposals for international taxes.

And I would like to find the Congressman or Senator anywhere near my jurisdiction who announces his or her readiness to vote for those taxes so I can organize a campaign to see that they don't get elected. That is the most bizarre thing. I think we should resist that.

Mr. LANTOS. I fully agree with you.

Mr. SHULTZ. And the countries have to be persuaded to put up taxpayers' dollars to support these U.N. operations. That is why I underline so strongly the importance of competence. And let people see that, OK, when they got ready to do something, they conceived the problem right, they sized the nature of what need to be done, and given the resources, they did it well.

The Namibia example is a good example. Cambodia is another good example.

USING MILITARY FORCE TO DETER AGGRESSION IN THE FORMER YUGOSLAVIA

Mr. LANTOS. I fully agree with your last point.

Let me also raise a question with respect to Yugoslavia. I have followed all of your public statements on that issue. I don't know whether you have followed mine, but we have been absolutely on the same wavelength from day one.

Mr. SHULTZ. Yes, I appreciate that.

Mr. LANTOS. I want to raise the question of the use of deterrence in situations of this kind. It seems to me, and you were one of the prime and most successful practitioners of the use of deterrence vis-a-vis the Soviet Union that we had a period of 40 years when the power of deterrence prevented the Soviet Union from moving a millimeter in Europe. Clearly, we have the power of deterrence that can be used in dealing with Serbian aggression against Croatia, Slovenia, and Bosnia.

Would it not have been a way to prevent 200,000 deaths and the creation of 1 million refugees for NATO to use its power of deterrence in preventing military action within the former Yugoslavia?

Mr. SHULTZ. Absolutely. We had the power. Of course, deterrence only works when the people you are trying to deter take you seriously. And they don't take you seriously just because you have forces. If it has been demonstrated that you won't use them, then they are useless.

And that is exactly what we did. We demonstrated a lack of resolve time after time after time.

Mr. LANTOS. I am not asking you to answer this; but let me offer as my own opinion that, had you sat in the chair of Secretary of State during the breakup of Yugoslavia, we would have used the power of deterrence and the power of deterrence would have been credible. Your voice would have been received as an authoritative voice on this issue; and we wouldn't have had this nightmare that we have seen unfold in Yugoslavia.

Mr. SHULTZ. I don't think it was my voice, Mr. Chairman, I think it would have been President Reagan's voice. I might say at the time we were in office, we had another voice that had been very strong on this as in other issues, and that was Margaret Thatcher. So you have some clear-identified people, who speak, and when they speak, people know they mean it. You may not agree with them, but you know they mean it, so you take them seriously.

Nowadays, nobody takes anybody seriously, because they are so wishy-washy.

EXPANDING THE U.N. SECURITY COUNCIL

Mr. LANTOS. Before I turn to my colleague for his questioning, I would be grateful if you would comment a little bit on the restructuring issue. What is your view, Mr. Secretary, concerning the expansion of the U.N. Security Council?

Would you care to name the countries or the types of countries that, in your judgment, should be added to the Security Council; and if so, should they be added as permanent members with or without a veto?

Mr. SHULTZ. Well, if there they are going to be added as permanent members, that is the only concept of addition that makes any sense, because all countries rotate on to the Security Council and rotate off again, so you are talking about permanent members.

And I don't know quite how you have some permanent members who have a veto and other permanent members who don't.

Mr. LANTOS. You establish a new category of permanent members without a veto.

Mr. SHULTZ. I think you would find yourself struggling at that, if you say that Japan is the second largest economy on earth, and therefore any sensible thing to you would be that they ought to be on the Security Council, it is certainly going to be a full member of the Security Council, full member, I should think. Germany, the same way. Those are the two prime candidates.

The hardest, and I think it is open and shut that they should be on the Security Council, myself. The difficulty is, once you open things up, then you have some arguments that are difficult to handle. India is the largest democracy on earth. Brazil, particularly—

it looks as though maybe Brazil's economic act will get together and it will get its economy going, and when it does, it will be maybe the eighth largest economy going, and so on.

You mentioned Nigeria. Nigeria would be a nominee from Africa. All right. On the other hand, when you look at the Nigerian Government and how it is stumbling around, to put that government on the Security Council and give it a veto——

Mr. LANTOS. It is absurd.

Mr. SHULTZ. What you are getting around to is saying to yourself, we are going to so structure the United Nations Security Council, that it is unlikely, increasingly unlikely that it could be a decisive group in a critical situation, because you get too many diverse veto possibilities.

I am afraid an awful lot of our public life has become characterized by a situation where so many people can make it impossible to proceed, that you don't get much happening. And that only underlines the point that the U.N. is at best a process, and to use it very carefully, you have to recognize in the end, from the standpoint of the United States, you have to conduct our own bilateral diplomacy, with the U.N. being used as is fit.

BECOMING NEW U.N. SECURITY COUNCIL MEMBERS AND PARTICIPATING IN PEACEKEEPING OPERATIONS

Mr. LANTOS. Just as a final question on this matter, would you make it a condition on Japan and Germany in becoming permanent members of the Security Council that they agree to military participation in U.N. peacekeeping operations whenever they are called upon?

Mr. SHULTZ. Well, it is a very tender issue. And I suppose that is coming. But taking Japan as an example, I hate to see Japan get turned on as a military power again. And every country I know in Asia, and I know them pretty well, has that view. They just shudder.

And the Japanese people are not that anxious to do it. So maybe they would need to agree. But I think we shouldn't be putting a big effort on the Japanese.

There are huge needs for funds to support—the refugee problem around the world is one of the most desperate ones imaginable, it is very expensive, and that is an area where they could do a lot more than they are doing. So I recognize it is a rather anomalous thing, and certainly they should take part in peacekeeping operations. But it is very reluctant.

I am very nervous about the situation in North Korea. I don't think the agreement that was made there is impressive at all. And if it emerges that North Korea has nuclear weapons, no matter what they say, I don't think Japan is going to be far behind. But we don't want to encourage that.

Mr. LANTOS. Isn't there an argument for having German or Japanese participation in peacekeeping activities in an inverse relationship to their geographic proximity to places? For example, Germany could not be used in Yugoslavia and Japan could not be used in Asia?

Mr. SHULTZ. Well, Japan was pretty effective in Cambodia.

Mr. LANTOS. Yes.

Mr. SHULTZ. So people tend to have an interest—maybe a little removed, but I don't know that—I think if you are going to go ahead, you go ahead, but you go ahead with your fingers crossed.

Mr. LANTOS. On a case-by-case basis.

Mr. SHULTZ. Yes.

Mr. LANTOS. Thank you very much, Mr. Secretary.

Congressman Bereuter.

CALLING UPON A DEDICATED MILITARY FORCE FOR U.N. OPERATIONS

Mr. BEREUTER. Mr. Secretary, thank you very much for your testimony and your responses. You responded to a question before related to a standing U.N. Army. Your response, quite negative, was, I think, the view of the American people. The Clinton administration, while they may have looked at it briefly, abandon the concept.

There is a variant which would suggest that there ought to be dedicated forces out there more readily available to be called. The U.N. Charter has authorized something you could call a military command structure, but never really been put in place.

The United States has uniquely strong logistical capabilities. We are now sharing some of U.N./U.S. tactical or military intelligence capabilities with some of the U.N. operations, as in the case of what is happening in Bosnia.

Is there anything to be gained from this variant? Do you have any thoughts of this variant of dedicated forces still under the control until called upon, until released by the individual member states?

Mr. SHULTZ. I think as long as the control—speaking from the standpoint of the United States—as long as the control remains with the United States, and we commit forces according to our procedures, having a unit or units or various components that do whatever special things may be needed to make them especially useful is a good—it is a good idea. But I am very dubious about a U.N. military command structure. I think if we are going to wind up committing the forces, then we better use the U.S. command structure, as far as U.S. troops are concerned.

U.N. INTERVENTION IN THE INTERNAL AFFAIRS OF A COUNTRY

Mr. BEREUTER. Thank you.

Mr. Secretary, Article 2, Paragraph 7 of the U.N. Charter suggests that U.N. intervention is prohibited, quote: "In matters essentially within the domestic jurisdiction of any states," unless it somehow threatens international security.

We are protecting the Kurds in northern Iraq. It is thought that we should have been in earlier in Rwanda to keep that genocide from happening.

Is a new process going on in the post-cold war era when we have many more racial/ethnic breakouts, no longer suppressed by the Soviet Union or the United States, that call us to have greater definition about when we intervene in internal affairs of a country?

Mr. SHULTZ. It is a very hard problem, and I think we should be very reluctant. On the other hand, all the countries, when they sign up for the United Nations and become a member, in effect, accept the Universal Declaration on Human Rights. And so you get a kind of a mixed picture all the time.

The fact is that in this day and age, sovereignty doesn't mean the same as it did years ago. There are so many things that go across borders that the sovereign doesn't control, that there is change in the concept. And I think that in the area of human rights, there is something taking place that has to get nourished along.

But as I said in my testimony, I think one of the things that the U.N. should be a vehicle for doing is kind of raising standards around the world. And I don't mean by that that you just intervene everywhere. But certainly in the case of what has happened in the old Yugoslavia, there are the grossest kind of violations, and apparently nobody is being held accountable at all.

We have just lifted the sanctions on Serbia, while keeping them on the Muslims. I might say, I know lots of people in the Muslim world. It is not lost on them that it is Muslims that we are helping.

Mr. BEREUTER. I certainly agree. I have said on the floor of the House, as a matter of fact, earlier, on many occasions, that it is unconscionable for us to deny people the ability to defend themselves against superior odds. And that is exactly what we have done.

Mr. SHULTZ. You have put it exactly right.

PLACING "FAILED STATES" IN U.N. SUPERVISED RECEIVERSHIPS

Mr. BEREUTER. Mr. Secretary, I mentioned "failed states" or failed nation states. You could, I think, justly place Rwanda or Haiti in that category, and you could name several other countries. A couple of academics, Gerald Helman and Steven Ratner, lately have suggested we need a new form of international response to those failed states, and have written a very useful article in the journal *Foreign Policy*.

They are proposing something you might call putting a failed state in receivership, under U.N. supervision, where you have them give up elements of sovereignty and for a particular time you put in massive multilateral and bilateral resource, and even administration, to deal with the failed nation state.

It is not like a trusteeship, a World War I period to World War II period concept, because these territories of the concurred countries would not be defeated countries, and were not sovereign countries. But do you have any thoughts about the concept that we now have failed nation states that have no ability to provide for their citizens, no ability to govern themselves, and if so, how does the international community and the United States respond to those failed nation states and the instability they create?

Mr. SHULTZ. I am afraid of the concept. I think it is inviting failure, if you are not careful. And you set yourself up to say that there are some circumstances where we will do what? We will come in, we will provide law and order, we will provide economic assistance, and so on. And people may scratch their heads and say, that would be better than what we have, so let's invite them in, let's declare ourselves a failed nation.

It is like bankruptcy laws. They get abused. So I think that is a slippery concept.

You mentioned Rwanda as a failed state. And I don't remember whether you mentioned Haiti or not.

Mr. BEREUTER. Yes.

Mr. SHULTZ. Well, it is a failed state, Haiti, in the sense that it is economically bankrupt. It is ruled by people, was ruled by people who usurped power in a coup, and returned Haiti to the same kind of situation that it had been in for 100 years. But it is still a place with boundaries.

And personally, I was not in favor of what was done in Haiti. Now that it has been done, I am in favor of seeing it through and making it work. We are there, and so let's do it and get it right if we can.

But we are in, I think, a very uncomfortable position in Haiti. I hope that we will feel as good 6 months from now as we feel now. I kind of doubt it. So I think it is a slippery business. And there isn't a good answer.

I know you are saying, are there some rules to be developed about how we intervene in another country's affairs? And the extreme is if we declare chaos to be there, we see how fragile civilization is. Look happened to Beirut. It is a wonderful place, destroyed. Maybe it is having a rebirth now.

You can say the same for large areas of the United States, places in our cities where you won't go. In Washington, D.C. shall we declare those—declare Washington a failed state and take it over? New York City? Chicago? There are places in those cities that are not being governed effectively right now.

So I think the answer to my question is, no, we have to work at these things. But it is a—so I find the concept of intervening in failed states, just off the top of my head, as you posed it, to be a slippery one.

Mr. BEREUTER. Mr. Secretary, thank you very much for your response. It is something we are grasping with and grappling with.

You mentioned Washington, D.C. I noticed we just finally placed the Public Housing Authority, the District of Columbia, in receivership, and it is a San Franciscan who has the unhappy or courageous task to go and handle it. We will see what happens.

We miss your wisdom and common sense from Washington. I am glad you are imparting it here today for the whole country. Thank you very much for your testimony.

Mr. LANTOS. Mr. Secretary, on behalf of all of us, I want to express our deepest appreciation of and respect for you. Since you left us in Washington you have honed your skills in the happy confines of Stanford. And, I want to echo my friend's words. We sorely miss you, and we look forward to having your wise counsel publicly expressed on all issues.

Mr. SHULTZ. Thank you. I appreciate your listening to me.

When I was invited to come back to Stanford, they offered me a chair. I said, I don't want a chair. I want a couch. So I am enjoying my couch at Stanford.

Mr. LANTOS. The subcommittee will be in recess for 5 minutes, at which time we will begin with the second panel.

[Recess.]

Mr. LANTOS. The subcommittee will resume.

We are indeed delighted to have three specialists in the field of international organizations, particularly the U.N., appearing on our second panel.

Having read the testimony of all three of our distinguished witnesses, I am delighted to put all three prepared statements in the record where they will appear in toto. And, I will ask our distinguished witnesses to summarize their observations.

Our first witness is Professor Ernst B. Haas, Robson Research Professor of Government at the University of California, Berkeley. He received his Bachelor's degree from Columbia and his Master's degree and Ph.D. also from Columbia. He has served with distinction in U.S. Army Military Intelligence. He has had a range of increasingly more complex and substantive positions in the Department of Political Science at the University of California, Berkeley. He was Director of the Institute of International Studies during a particularly critical phase. He has a range of outstanding publications, fellowships, grants, and professional activities.

Professor Haas, we are delighted to have you.

If I may ask you to put the microphone right close to you, we very much look forward to your presentation.

STATEMENT OF ERNST B. HAAS, RALESON RESEARCH PROFESSOR OF GOVERNMENT, UNIVERSITY OF CALIFORNIA, BERKELEY

Mr. HAAS. Thank you, Mr. Chairman, Representative Bereuter. I am honored and flattered to be asked to provide testimony here. And I will try to keep it as short as I possibly can in the hope of not repeating the very trenchant things you two gentlemen said earlier. Although I suspect some of the things I have to say will respectfully disagree with what Secretary Shultz said a little while ago.

We all know that the end of the cold war, the dissolution of the Soviet Union and the evolution of strong regional states as well as the gradual unification of Europe, all of these things have dramatically changed the international security environment, in which the U.N. functioned for most of its 50 years. But the U.N. will nevertheless undoubtedly still be asked to deal with cases of old fashioned interstate war, though the wars are most likely to occur in the Balkans, South and Southeast Asia and in Africa. It will still be asked to interpose truce observers and peacekeeping forces of the old traditional type between belligerents willing to end the fighting, as it has done since 1948.

But in the post-cold war environment, it is already being asked to shoulder quite new and different responsibilities; more new tasks can be foreseen. And I will enumerate some of them, not to praise the U.N., but to express a deep fear that the U.N. very soon will get in far deeper than it should.

I call your attention to the following brand new tasks that have been wished upon the organization since 1988: Stopping civil wars in which not all the belligerents are ready to stop fighting; protecting and feeding refugees from civil wars; displacing dictatorships and protecting fledgling democratic institution; halting egregious violations of human rights, such as genocide and mass expulsions; enforcing arms control agreements and regulating the arms trade; dealing with international environmental threats, in line with an enhanced notion of what aggression means; and finally, helping to curb international terrorism, the drug trade and criminal networks.

Not all of these are now on the U.N. agenda, but suggestions are already being heard from many places that they ought to be. I submit that the U.N. is in no position now to do all of these things, at least do them effectively, and that wishing too many new tasks on it is likely to render ineffective even the older missions which it is capable of accomplishing quite well.

I submit that we must guard the U.N. from sliding down the slippery slope of overcommitment in order to increase its effectiveness in areas where it can be made to function effectively. This requires a different kind of American leadership to build and maintain the necessary coalition of like-minded member states.

Which tasks should not be given to the U.N.? In general, the U.N. should not be asked to take on tasks which are likely to undermine its reputation and credibility, because they are almost impossible to see through to a successful conclusion, as Secretary Shultz warned us also.

True, if the U.N. were more like a world government and if we could count on the unflagging commitment of the more important members to its resolutions, a less cautious policy might be possible. But these preconditions are not being met now, nor will they, I think, in the foreseeable future.

The U.N. should not be asked to stop civil wars or engage in humanitarian relief in the midst of civil wars. It should not be expected to impose democratic rule where that rule had never existed before. In short, many of the tasks assumed since 1988 are likely to lead to the slippery slope of disrepute. That is the negative case.

Speaking positively, which kind of tasks, other than traditional peacekeeping and fighting interstate aggression, ought to be given to the U.N.? Facilities ought to be set up and a consensus should be sought to enable the U.N. to do the following:

Monitor the implementation of basic human rights once other U.N. bodies have found serious violations; monitor alleged violations of all arms control agreements, similar to the existing powers of the International Atomic Energy Agency; monitor future agreements limiting the arms trade; punish violators of such agreements with surgical strikes; prevent genocide with massive troop deployments; monitor and conciliate environmental disputes.

But most of these things cannot be effectively accomplished with the present U.N. Therefore, we ought to undertake certain institutional reforms needed for improved task performance, and here is where I begin to differ from what we heard from Secretary Shultz.

Enhanced peace maintenance calls for the creation of a standing rapid deployment force made up of previously earmarked national contingents which have trained together. Such a force ought to number two or three brigades, have its own airlift and air cover capacity. The task also demands a corps of international inspectors, civilian inspectors, backed up with an intelligence capacity.

The inspectors ought to be an autonomous U.N. unit, but the intelligence function might well rely on national means. In general, even the fulfillment of the traditional collective enforcement tasks require a sharply upgraded mechanism of advance planning and training, in order to give the U.N. the competence it now admittedly lacks.

That suggests that serious consideration be given to the activation of the military staff committee of the Security Council, as indeed has been suggested by some of the other permanent members of the Security Council.

The alternative for collective measures against aggression is what Secretary Shultz suggested. That alternative is the continued reliance on the de facto delegation of enforcement to the few countries willing to do that, that is to say, primarily the United States.

I consider this method unreliable because I suspect that the United States is not going to be willing to pursue indefinitely an open-ended enforcement function on behalf of the world community.

For traditional peacekeeping, the U.N. stumbles from one episode to another, by way of inspired improvisation, although it lacks, as Secretary Shultz said, the machinery for doing better, all the while, panhandling for the funds required. We ought to do better than that.

How to do better? First of all, a more stable consensus favoring a more modest but increased U.N. task has to be built. The United States has an enormous stake in the U.N.'s successfully fulfilling the traditional and the novel tasks in the realm of security, because in many cases the alternative would be a unilateral rather than a multilateral response, for which the American will cannot be taken for granted.

On the other hand, the U.S. military, as we know, is reluctant to shoulder the burdens here suggested and unwilling to delegate authority over large numbers of troops to non-American commanders, even though within the NATO context, we seem to be quite willing to do that.

Substituting multilateral for unilateral procedures and forces to meet the needs of a civilized and humane future world word requires a coalition inside the U.N. of powerful states committed to these objectives and responsive to American leadership.

The core leadership function consists of the United States paying its own overdue bills in the U.N. Secondarily, it calls for the kind of diplomatic-military concert that could reanimate the military staff committee and yet reassure American military leaders. This calls for a much heavier reliance on military forces furnished by Russia, Germany, Japan, India, Nigeria in Africa, and Brazil in Latin America, than has been true heretofore, in addition to the French and British forces occasionally seconded to the U.N. It is idle to count on a serious Chinese commitment to these tasks.

It therefore ought to be the policy of the United States to build a massive peacekeeping coalition with staying power. Armed forces of the countries mentioned are mostly wealthy enough to pay for their own services. More than money, what these nations need is the official recognition that as nations they are part of the global peacekeeping coalition.

The most effective way to recognize the symbolic and political importance of this promotion to global responsibility is to enlarge the Security Council by adding the countries mentioned as permanent members.

However, to enlarge the Council without giving the new members the veto is to create two classes of permanent members. To give

them the veto is to condemn the Council to ineffectiveness. Therefore, we must change the present voting formula from big power unanimity to a form of weighted and qualified majority voting in which the United States would retain the kind of blocking veto it now has in the International Monetary Fund, but would require the support of some of the other large countries in order to authorize a U.N. operation.

Thank you, Mr. Chairman.

[Mr. Haas' biography and statement appears in the appendix.]

Mr. LANTOS. Thank you very much, Professor Haas.

We have a number of questions, but we want to go on to Professor Smith, who is one of our nation's recognized authorities on the United Nations.

He graduated with honors from Harvard College. Later, he received his law degree from Harvard Law School and operated in the private sector. He is a distinguished attorney; and since 1980, Professor Smith has taught at the University of Southern California's Law Center.

I should mention he also had distinguished congressional service as an adviser to Senator Daniel Patrick Moynihan. He is a member of the Council on Foreign Relations and has a very distinguished list of publications—the most recent of which is "The United Nations in a New World Order."

We are delighted to have you, Professor Smith.

STATEMENT OF EDWIN M. SMITH, PROFESSOR OF LAW AND INTERNATIONAL RELATIONS, THE LAW CENTER, UNIVERSITY OF SOUTHERN CALIFORNIA

Mr. SMITH. Thank you, Mr. Chairman, Congressman Bereuter.

I have to admit that I took great pleasure in being on this side of the table as opposed to being behind the members, a position to which I have grown accustomed.

I have a statement which you have agreed put into the record. I would like to make a few very brief, very precise points to allow to us move on to the question period.

I have looked into a pattern of discussion and debate that has arisen in the context of the United Nations, to do with the reliance on regional organizations. Within the past month, the Secretary General has addressed a working group on relationships between the United Nations and regional organizations, and there seemed to be an implicit assumption that many of the capabilities that the U.N. currently lacks in accomplishing the ends that it pursues can be provided by reliance on regional organizations.

Activities, particularly in peacekeeping, peacemaking, peace enforcement, these problems can be involved in relying on organization like NATO and other regional organizations, although there are few that are like NATO, but other regional organizations able to provide the capabilities that the U.N. lacks.

My concern is that there is an assumption that these organizations, by participating in what Secretary Shultz correctly pointed out as a process, will simply facilitate that process but not alter it.

I am concerned that unless the U.N. maintains the capability to decide what principles and values it will pursue, the principles and values of those regional organizations with which it becomes in-

volved may determine and undermine the values we get from United Nations participation.

Let me take a couple of recent examples. Particularly looking at the case of NATO in the former Yugoslavia, and the difficulties involved, as Secretary Shultz pointed out, in bringing force to bear in the former Yugoslavia. If you read the reports that have come from the United Nations and have been published in the press, you begin to see there are two different cultures involved.

NATO's culture is a military culture that requires a defined task and the freedom for military officers to decide how best to pursue that task. The U.N. is a diplomatic organization which at each stage wants to have the option to negotiate about what should occur next.

There is a clash of cultures that has been evident over the last year. Each time there has been a claimed need for NATO force to be applied, the U.N. officials on the ground, in Yugoslavia have said, let's wait, let's talk, let's see what we can do, let's see what we can negotiate.

And in the most recent instance NATO force was applied against an empty Serb tank. That begins to be quite a ridiculous proposition. So there is a clash of cultures that happens each time the U.N. tries to use force through another regional organization.

The U.N. may be correctly positioned to pursue the diplomatic approach. I do not criticize the U.N. for pursuing that approach. But it is necessary for us to understand that these two approaches do not necessarily work together.

There are other questions that could be asked. The U.S. application of the criteria of PDD–25 in the context of Rwanda is seen by some as an imposition of U.S. standards on the United Nations' choice to become involved even though the United States was not putting forces at risk in that situation. There were some representatives who were vehemently opposed to the application of these constraints where U.S. forces were not involved.

There are questions also raised by the precedent of France becoming involved in Rwanda with U.N. approval and with regard to Russia in the context of Georgia. To the extent that there are Russian interests involved with Abkhazian independence. A question can be raised as to whether the U.N., by implicitly authorizing the Russian involvement, may be seen as an advocate of the Russian position. By calling on capable states or capable organizations, a risky situation created for the United Nations. The U.N. risks losing the objectivity, legitimacy and credibility that are the core values that the U.N. can bring to bear in a situation.

One other minor point. This is one that, having served the Senate during debates of the War Powers Resolution while ships were being escorted in the Persian Gulf, I am a bit loathe to raise, but I think it should be mentioned. To the extent that we understand the points that Secretary Shultz makes about the relationship between force and diplomacy, we recognize that there must be a very subtle connection and interaction between the two.

To the extent that certain scholars and some Members of Congress believe that prior authorization of the use of force is constitutionally required, we frustrate the ability to put together very subtle relationships between force and diplomacy.

If we applied those purported constitutional constraints in the context of collective action, which we may well do because U.S. forces are likely to be involved in collective action, we then frustrate the international community's ability to pursue these relationships.

I have written in other places that we should find much, much more flexible and effective ways of involving the Congress at very early and ongoing levels in consideration of the use of force and the relationship between force and diplomacy. I would be concerned about a formal requirement of prior congressional approval.

Thank you.

[Mr. Smith's biography and statement appears in the appendix.]

Mr. LANTOS. Thank you very much, Professor Smith. We do have some questions for you as well, particularly with respect to your very sophisticated analysis of the clash of cultures between a military alliance, such as NATO, and an international body such as the United Nations, and how this clash can be worked out without paralyzing the effectiveness of the operation itself.

I usually summarize by biographical sketches, but our next witness' biography is so well done that I take the liberty of reading the opening paragraph.

Mr. Tad Daley is the Executive Director for the Campaign for a New United Nations Charter. He has spent 15 years enrolled in various university degree programs, a figure currently being examined by the authorities at the Guiness Book of World Records. He is often accused of being a perpetual student and is repeatedly asked by his family when he is going to get a real job.

He received a Bachelor's degree in Political Science from Knox College in Illinois and a Master's degree in International Affairs from the University of Southampton in England, where he was a Rotary Foundation Graduate Fellow. He is soon to receive his Ph.D. in Public Policy Analysis from the Rand Graduate School of Policy Studies in Santa Monica, California; and he has a law degree from the University of Illinois, where he specialized in international law.

He presently serves as the executive director of a newly created activist citizen's initiative that is campaigning for a new United Nations Charter.

I read your full presentation with great interest. As all the others, it will be entered in the record in toto.

You may proceed any way you choose.

STATEMENT OF TAD DALEY, DOCTORAL FELLOW, THE RAND GRADUATE SCHOOL OF POLICY STUDIES, AND EXECUTIVE DIRECTOR, CAMPAIGN FOR A NEW UNITED NATIONS CHARTER

Mr. DALEY. Thank you. Thank you very much, Mr. Chairman.

When I told my father I was going to be testifying before your committee, he said the same thing: When are you going to finish your Ph.D. and get a real job?

I am really delighted to have this opportunity to testify before you, Mr. Chairman, and Congressman Bereuter. Really an imaginative idea, having a hearing in this city where the United Nations Charter was framed.

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I will summarize my prepared statement, which addresses three topics: First, restructuring the Security Council and democratizing global decisionmaking; second, developing a standing volunteer world army for the enforcement of world law; and third, activating Article 109 of the U.N. Charter, to convene some kind of a comprehensive U.N. Charter review conference, perhaps right here in San Francisco again.

Mr. Chairman, everyone seems to agree that Japan and Germany must become permanent members of the Security Council. Many also argue that a place, as we have heard today, must be found for regional powers such as India, Brazil, and Nigeria.

In my view, Mr. Chairman, before we address the question of who deserves a seat on the U.N. Security Council, we need to ask whether our global political organization for the world of the 21st century should be centered around a great power Security Council at all. This is not self-evident to me.

The San Francisco Charter was designed in the 1940's primarily to prevent another Adolf Hitler from launching a great power war. That charter itself inherited the idea of great power collective security from the Concert of Europe, established in 1815, to prevent another Napoleon Bonaparte from threatening international security.

The danger of repeating the mistakes of the 1930's is not the greatest danger facing the human community as we approach the 21st century. Moreover, the mechanism of global decisionmaking enacted in the San Francisco Charter is profoundly undemocratic—at a time when democracy is purportedly the only legitimate mechanism for the governance of human affairs.

If we believe that democracy is the optimal form of governance, then I believe we must aspire toward it at all levels of governance. Some will maintain that any democratization of the U.N. Security Council will inhibit decisive action at the U.N. I find this argument difficult to understand by people who profess to believe in democracy. At all other levels, human communities maintain democratic decisionmaking structures. I don't know that there is something fundamentally different about a global decisionmaking structure.

If decisive action, if that is our primary value, maybe we should reduce the Security Council's permanent members from five to one. Maybe we should abolish the U.S. Congress, and turn over all American policymaking to the President. That would clearly make for more decisive action.

But we have this belief, this value that democratic decisionmaking, although difficult, still in most arenas of governance in the late 20th century, we consider its benefits to exceed its costs. And today, more and more people around the world are beginning to argue that in the global arena, the benefits of democracy will exceed the costs as well.

As Tatsuro Kunigi, former Assistant Secretary General of the U.N., now a distinguished scholar has argued, if all we do next year is to add Germany, Japan, and some regional powers to the Security Council, that would actually reinforce this undemocratic nature of the Charter, and "would run counter to the distinct and increasingly broad current around the world calling for global democratization."

There are ideas out there for democratizing decisionmaking at the global level that go well beyond the Security Council restructuring. Professor Haas mentioned one of them, weighted voting. A well-known idea called the "Binding Triad" weighted voting method would pursue only global policy decisions approved by most of the countries, most of the people, and most of those paying the bills in the world. That would certainly give the United States of America a substantial voice.

There are other, more visionary ideas. Like the idea of some kind of U.N. House of Representatives, where we would continue to have national governments maintaining representatives in the first chamber in the U.N., and citizens around the world would also directly elect their own local representatives to a new second chamber. Many ideas have been out there like that for quite some time.

Mr. Chairman, I do not propose that all these ideas, especially these most visionary ones, could or should be on the international affairs agenda next year in 1995. But what I do propose is that the debate should proceed from the premise that democracy is the optimal form of governance, and we should aspire to move toward it at our largest global level of governance.

Mr. Chairman, it is widely known that you are the only Member of the U.S. Congress who is the survivor of the greatest crime of the 20th century, Hitler's murder of most of European Jewry. I want to speak to you for a moment about the best idea I know for humanity to be able to back up what we say when we say: "Never again."

It is my contention that the essential flaw at the heart of the collective security structure of the 1945 U.N. Charter is the dependence of that structure on national armies. Because a structure for the maintenance of human security that depends on national armies will not prevent mass organized violence which does not threaten a critical mass of national interests of other states, however horrifying.

The great power collective security structure of the San Francisco Charter has been working for the past half decade exactly as it was intended. There has only been one veto cast in 5 years. But it has not proven itself capable of preventing crimes against humanity which don't appear to sufficiently threaten the interests of great powers, like rape camps in Bosnia, like mass machete massacres in Rwanda.

The great powers understandably have demonstrated they are only willing to dispatch their armies to situations like these *if* for them the benefits for their national interests exceed the costs and the risks.

Mr. Chairman, I think there is another alternative to collective security dependent upon national armies and hard, difficult calculations of national interests. It is the idea of creating a standing volunteer world army to enforce world law.

The raison d'etre of such an army would be to defend common human interests. Its mission would be to enforce world laws, laws which made things like rape camps and mass machete massacres illegal anywhere on Planet Earth. It would put a stop to crimes against humanity, not just when they threatened some critical

mass of great power interests, but because it was the moral imperative of the human community.

Such an army would be composed entirely of volunteers, women and men who had volunteered to defend our common human interests. American leaders wouldn't have to agonize over whether a slaughter in Rwanda threatened American national interests enough to be worth risking American lives.

These would be individuals who had volunteered to serve in a different kind of army, an army not for the protection of vital American interests, but to act when mass organized violence happens on Planet Earth but doesn't sufficiently threaten the vital interests of the United States or any other great power.

Mr. Chairman, I do not for a moment underestimate the difficulties that would be faced in an effort to establish an institution of this nature. I discuss a number of them in my written statement.

Again, I do not propose that by the end of 1995 we can be well on the way toward establishing a standing volunteer world army. The idea I do propose, however, is that we set this essential concept as our essential aspiration for dealing with the Bosnias and the Rwandas that will surely come again.

What I do propose is that we do not have to tolerate nonvital interest slaughters like Bosnia and Rwanda forever until the end of time. A standing volunteer world army, in my view, is humankind's best hope to be able to say in response to Bosnia, Rwanda and Auschwitz: "Never again."

Mr. Chairman, in November 1992 a collection of 1,500 scientists around the world, including 104 Nobel Prize Winners—you don't get much more credible than that—issued a joint declaration which they called the "World Scientist's Warning to Humanity."

This statement maintained that global and environmental macro trends and the underlying engine of population growth were moving to threaten the viability of our planetary biosphere itself. We are soon likely to see, according to these scientists, "conflicts over scarce resources, mass migrations with incalculable consequences, and spirals of socioeconomic and environmental collapse." No more than one or a few decades remain, said the scientists, "before the chance to avert these threats will be lost, and the prospects for humanity immeasurably diminished."

Mr. Chairman, I do not propose that *any* kind of new United Nations Charter could provide all the answers to these kinds of great global challenges looming in the 21st century. But today's U.N. Charter does not even address the questions.

Words like population, migration, famine, perpetual poverty and environment do not even appear in the 1945 U.N. Charter. The San Francisco framers were developing global structures to address entirely different challenges in an entirely different world.

But one thing they could foresee, and did foresee, is that their already rapidly changing world would continue to change, and that the global structures they designed would have to change as well.

That is why they included in the United Nations Charter Article 109, which provides for, "A general charter review conference upon the approval of two-thirds of the General Assembly, including any nine members of the Security Council."

And in Article 109–3, hardly anyone talks about this, but it is in there, they lowered the threshold, so that if such a conference had not been called by the 10th General Assembly Session, 1955, at that point, they said, we are going to make it easier. At that point, such a conference could be convened upon the approval of only a majority of the General Assembly, and any 7 members of the 15 member Security Council.

Mr. Chairman, now that the great cold war confrontation has passed onto the rubble heap of history, I think it is time for us to remember the original intent of the San Francisco framers, and to activate Article 109. I recommend that next year the international community should initiate a series of world meetings, similar to the meetings held at Dumbarton Oaks and Bretton Woods in 1944, leading by 1998 to a world summit similar to the one held in San Francisco in 1945.

This would be a long process to engage in discernment and decision about the best possibilities and to develop and agree upon a better U.N. Charter, both more democratic and more appropriate for the looming challenges of the dawning new millennium.

And I don't see any reason at all why the culminating world summit from such a process couldn't be held right here in San Francisco. A commitment in 1995 to convene some kind of comprehensive U.N. Charter review conference by 1998 can serve as the engine of our global imaginations.

Many people in this room could become deeply involved in innumerable commissions and working groups. Setting a deadline for a conference would, I believe, generate the political will to deliberate over and decide upon the best of the ideas. And aiming for ratification and enactment by the year 2000 would engage all the symbolism and inspiration accompanying the dawn of a new millennium.

I think it is time for the policymaking community to start asking not just who should sit on the U.N. Security Council, but what kind of U.N. Charter would we design if we were designing it from scratch today?

Alvin Toffler has said: "Ninety-nine percent of what politicians do is to keep systems running that were put in place by previous generations of politicians." I think a great opportunity exists today to take the lead in promoting the idea of redesigning the U.N. Charter for our emerging global challenges, and perhaps even of convening a world summit for that purpose right here in San Francisco.

And, Mr. Chairman, the United States of America is the greatest power in the world today, and I don't want to see us dragged kicking and screaming into such a process. I want to see us take the lead in promoting a vision of world order for the 21st century.

Such an Article 109 conference might well not come out exactly as we might want it to come out. But we have substantial political influence to invest in such a process, and we would significantly influence the outcome.

And if we took the lead in promoting such a process, I think it would create immeasurable political capital for the United States with much of the rest of the world. It would produce a legacy of visionary American leadership that would last well into the 21st century.

Let me conclude, Mr. Chairman, with a brief vignette from that conference in San Francisco in 1945. I don't know how much you have read about it, but right in the middle of that conference, April 12, 1945, Franklin Roosevelt died.

If you get in the car and drive from San Francisco across the Golden Gate Bridge and turn left, before long you will arrive in Muir Woods, home of the oldest living things on Planet Earth. I imagine you have been there, Mr. Chairman.

If you walk along the right path into the forest, before long you come across a heavy metal and stone plaque set into the earth. It says: "Here in this grove of enduring redwoods, preserved for posterity, members of the United Nations Conference on International Organization met on April 29, 1945, to honor the memory of Franklin Delano Roosevelt: Thirty-First President of the United States, Chief Architect of the United Nations, and Apostle of Lasting Peace for All of Humankind."

Mr. Chairman, FDR and his associates designed a pretty good world organization for preventing another Adolf Hitler. And I have little doubt that the spirit of FDR, out there in those woods, is looking today for the architects of a new world organization to confront the quite different challenges of the new millennium. And I have little doubt, too, that President Roosevelt would encourage us, and maybe even give us a quick kick in the seat of the pants, to develop democratic global structures adequate to address global problems and to promote global progress enduring global structures that can bring lasting peace for all of humankind.

Thanks very much.

[Mr. Daley's biography and statement appears in the appendix.]

SOLVING INTERNATIONAL PROBLEMS WHICH THE UNITED NATIONS CANNOT OR WILL NOT HANDLE

Mr. LANTOS. Thank you very much for your very eloquent statement, Mr. Daley.

Again, I want to thank all three of our distinguished witnesses, as well as Secretary Shultz. The caliber of the presentations could not have been higher.

I would like to begin with you, Professor Haas, if I may. You issued a very thoughtful, prudent, and intelligent word of caution about not overloading the United Nations with tasks that cannot be achieved, tasks for which it has no resources, and tasks for which its constituent members have no political will to proceed with.

That is very good advice. But my question is, what do we do with international problems which are not dealt with unilaterally by an individual country or collectively by a group of nations and cannot be handed over to the United Nations because the United Nations palpably has neither the resources nor the organizational capability of carrying out these tasks?

Do we just push these into a corner and let them fester? Do we create new organizations ? Do we give them to the United Nations, despite your caution, because they are likely to be handled better than if they were left unattended?

Mr. HAAS. Mr. Chairman, in responding to your question, I think it is important to reiterate things that I think under conceivable

circumstances for the future should not be given to the U.N., for the reasons you indicated, but at the same time, also gear up the organization to enable it to do some of the things that are certain to be put on its agenda, and in my mind should be put on its agenda. Therefore, it is, in my judgment, necessary to upgrade the capability of the U.N. in certain areas.

What the U.N. should not do is get involved in settling civil wars in which the parties are not willing to stop fighting. Angola is a perfect example. Yugoslavia, perfect example. Whereas in civil wars where the parties have already indicated they have had it, that is what happened in Central America, that is what happened in Namibia, fine. Those are proper arenas for action.

I would argue that Kuwait-like operations in the future are to be expected. And I think the military staff committee ought to be upgraded, and a rapid deployment force ought to be created in order to make it possible for the United Nations to react more effectively and more quickly to such challenges.

These are all things other people have already suggested. I do, however, disagree with the suggestion, that we create a U.N. volunteer army for this purpose. I think national contingents is what we are stuck with.

I think the idea would be to upgrade national contingents through prior preparation, prior joint training, on the U.N. model, rather than rely on the volunteer army. We have got a volunteer Army in the United States right now. Most countries have volunteer armies. It isn't that anybody is being compelled to die against their will.

There are other things that ought to be done now, such as upgrading the capability of the U.N. to monitor arms control agreements. The U.N. at the moment has no such capability. The International Atomic Energy Agency does, with respect to nuclear proliferation, but with respect to all other arms control agreements, there is no international monitoring capability. There are only a national means for verifying compliance.

Well, I think it is time that the U.N. be given such a responsibility. The same thing for the drug trade. The same thing for international white collar crime. All of these involve more resources for the U.N. than the U.N. now has. And, therefore, I propose in my written submission that a taxing power for the U.N. be created analogous to what the Australian Government has already suggested.

THE CLASH BETWEEN MILITARY ALLIANCES AND INTERNATIONAL ORGANIZATIONS

Mr. LANTOS. Thank you very much.

Professor Smith, you gave us a particularly sophisticated explanation of the clash of cultures which occurs when the U.N. contracts out certain military activities—activities requiring major military force in areas like the former Yugoslavia. And, you pointed out quite correctly that there is a clash of cultures between a military alliance, such as NATO, whose task is oriented in a military sense and an international organization which is accustomed to dealing in terms of a diplomatic milieu with all of its subtlety, inefficiency, and cumbersomeness.

How do you reconcile the coexistence of these two cultures? Because, clearly, it is unrealistic to expect the U.N., within the foreseeable future, to develop the military capability to handle something like the Serbian/Bosnian military presence in a conflict situation.

Mr. SMITH. I certainly agree with your preface to the question, that the U.N. is unlikely to develop the capability. I have gone on record in support of the designation of Article 43 capabilities, not necessarily even forces, but the process that has gone forward and is still underway with regard to identifying under Article 43 forces or capabilities, equipment, training facilities that would be made available pursuant to Article 43. The Secretary General is trying to—he is currently trying to aggregate a list of these facilities and capabilities. I think that is entirely appropriate.

I am a bit concerned about the idea of a volunteer U.N. force, because to say that the United States or any other great power need not be concerned about the commitment of these troops because these troops are not national contingents is to suggest to me that perhaps no one will be concerned about the commitment of these troops. If these troops find themselves in need of support in any given situation, we risk having the equivalent of a throwaway army, that is, they become like the Greeks at Thermopylae, they can be sent out to fight the invading hordes and left there to die.

Those forces would need, in order to be effective, some assurance of backup if they get in over their heads, and that backup would necessarily come from national contingents. That puts us back in the same position. Unless we are talking about much more than a volunteer rapid deployment force, a very, very large, capable, combined arms force, then I think we ought to be a little bit wary with this idea of a U.N. volunteer army. I have disagreed with Brian Urquhart on this point, and we have discussed it.

With regard to the specific question, I think there are two key elements missing so far with regard to the U.N. and NATO that ought to be considered in advance in any situation where the U.N. pursues reliance of a regional organization.

There must be transparency in terms of the interaction between the two organizations, prior transparency. At this stage, cooperation occurs at the level of attaches from NATO that are in Sarajevo, and U.N. attaches that are in the NATO Southern Command. When there are problems, everybody goes to Brussels and tries talk it out, as they have done within the last week or so, sometimes successfully, sometimes not.

If there is transparency early on in terms of who is in authority and who is responsible and what the chain of command will be, that may well solve one of the problems. But in addition to that, you need to have a clear priority of authority, a clear mandate. If the U.N. identifies regional organizations to accomplish certain tasks, they must leave to those regional organizations the mechanisms and means to accomplish those tasks.

In fact, if the U.N. wants NATO involved, the U.N. must be willing to allow NATO to determine what the best situation to apply force will be and what the best force to apply will be. If the U.N. is unwilling to make that kind of decision, then I would doubt that

the U.N. is really committed to the idea of the application of force in a given circumstance.

Bosnia is precisely the kind of complicated situation that raises the question, because it is the presence of national forces on the ground as part of the peacekeeping contingent that causes the hesitancy of bringing full force to bear.

So the choice must be made. Giandomenico Pico has written a fairly incisive article in "Foreign Affairs," that perhaps the U.N. ought to understand that it ought not to be involved in the application of force, that it really ought to allow others more capable to apply force when it is called for. At least some clarity of authority and responsibility ought to be put into place early on when there is any thought of involving other organizations.

Mr. LANTOS. Thank you very much.

DEMOCRATIZING THE U.N. DECISIONMAKING STRUCTURE AND CONFRONTING MODERN INTERNATIONAL PROBLEMS

Mr. LANTOS. Mr. Daley, you raise a number of very stimulating issues. I just want to react to two of them.

The first relates to your very appropriate comment that, when the U.N. was created 50 years ago, many of the so-called global issues that preoccupy us today did not even seem to be on the horizon—global environmental issues, global population issues, others.

You are calling for a new U.N. charter that would specifically deal with these issues and, presumably, organizational structures that would cope with them. But, although you are correct that these issues were not foreseen to be as critical as they are seen today, just recently we had a very impressive population conference in Cairo.

Not long ago, we had a reasonably effective conference on the environment in Brazil. So, maybe the existing structure and charter are fully adequate to deal with these global issues ranging from international terrorism to international drug trafficking, refugees, population, environment, and whatnot.

The second thing that I would like you to react to is, you made an eloquent plea for democratizing the U.N. decisionmaking structure. And, you drew the analogy between that and democracy within a country.

I would submit that the analysis is a fatally flawed analogy because what we are seeing within countries, for instance South Africa, is clearly identifiable entities—human beings who should be entitled to a vote.

This has been our own history of broadening and democratizing our governmental process—by giving votes to women, giving votes to slaves, giving votes to people who are 18 years and older—because we were dealing with analogous entities, human beings. In the case of South Africa, the vote has been extended to all South African citizens, irrespective of their pigmentation. Long overdue.

Now, I take it you do not suggest that entities which were created in colonial offices in Paris or London by drawing lines on the map of Africa or entities that came about as a result of the breakup of the Soviet Union or Yugoslavia, which so palpably are unequal in all respects, should be given equal decisionmaking authority in

an international body and that this would make the international body more effective.

My own feeling is that one of the geniuses of the original U.N. charter is to recognize the duality here of giving a vote to each of the member nations in the General Assembly, which at latest count I believe are 184, but limiting more effective decisionmaking authority to a revolving regional group of entities in the Security Council and giving the vote to permanent members of the Security Council.

I don't think the realities have changed very much, except in the sense that perhaps we need to admit to the Security Council membership countries such as Japan, Germany, and possibly India or others.

But, I can not think of a more resolute way of destroying the effectiveness of the United Nations than by providing equal decisionmaking authority to all the nation—states currently existing and yet to be created on this planet.

I would be grateful if you would comment.

Mr. DALEY. Well, the first question first, if I may. I am not necessarily calling for creating global structures at the U.N. to deal with population and environment, et cetera, et cetera. I am saying we simply ought to ask the question. We have a single global political organization on this planet, and we agree that it doesn't address in its structure these kind of global challenges in any way, because it was designed in a very different time. And no one even seems to be asking the question of whether it should.

Is it conceivable that there are global structures, some kind of institutions at the United Nations that could address these kind of macro challenges of the 21st century? I haven't heard a whole lot of those scientists or anyone else saying, as a result of the Rio conference in 1992 or the population conference of just a few weeks ago, oh, well now, we have sort of solved those challenges, the 21st century is looking pretty rosy now and we are on top of these things.

One thing that I know you know is that a very imaginative biodiversity treaty was signed at Rio. The U.S. Congress, hasn't passed it yet. It is sitting in the U.S. Congress. The U.S. Congress, to my knowledge, hasn't really devoted a lot of attention to it. It is not a big issue on the American political spectrum compared to the other issues that your constituents are much more worried about.

So that may just die, much like the law of the sea treaty died 20 years ago. The population conference, some marvelous progress made there, and some real grounds for optimism. But I am not convinced that population is no longer a challenge for the 21st century.

One of the main things that still remains to be seen is that it still depends on voluntary contributions, just like the whole of the budget of the United Nations. All these commitments that have been made by various countries are voluntary. The money is going to be a very big issue, and what we have is voluntary commitments by each nation that they are going to devote a certain amount to this, without any consequence or penalty, just like countries when they don't pay their United Nations dues, there is no consequence or penalty.

As the attention fades from the conference, I am not convinced yet that it is all going to work out.

So again, I think we ought to at least ask the question. There are many different kinds of threats to human security besides the great power war which was the single threat that the framers in San Francisco were envisioning. Let's have a great public conversation about whether there are some kind of conceivable global structures out there which could be enacted in a new U.N. Charter for addressing these.

On the second question, Congressman, Mr. Chairman, I could not agree with you more. The idea of a one nation, one vote global parliament, if you will, is a terrible idea. I probably should have said, I think, that just like I think today's Security Council is profoundly undemocratic, so is today's General Assembly.

It is absurd to say that the United States should have the same voice in this body as Sierra Leone, or that China, should have the same voice in this body as the United States, since China has an awful lot of people but clearly doesn't contribute as much money as the United States, and that is an important issue.

That is why, and Professor Haas has mentioned this as well, that the idea of a weighted voting system should be considered. I mentioned the binding triad, that is one concept floating around out there. That is one concept that ought to be looked at seriously and debated. But I am very much in favor of, again, starting from the premise that we should try somehow to democratize global decisionmaking and to give adequate and appropriate voice to the various forces around the world. A United States of America in some kind of a weighted voting system which also gave weight to such things as population and financial contribution, would have immensely more voice than a Georgia or a Tajikistan or a Sierra Leone.

Ultimately, what we have to focus on is legitimacy. Over the longer term, I think much of the rest of the world is going to perceive that a Security Council composed either of the five victors of the Second World War or simply of the contemporary great powers of the world, that is not going to have enough legitimacy over the long term to give this institution the legitimacy it needs to be able to address the kind of global challenges it must.

Mr. LANTOS. Thank you very much.

Congressman Bereuter.

THE CLASH BETWEEN MILITARY ALLIANCES AND INTERNATIONAL ORGANIZATIONS REVISITED

Mr. BEREUTER. Thank you very much, Mr. Chairman.

Gentlemen, thank you very much for your stimulating papers and your testimony and responses here. I have about four areas of questions that I would like to get into, at least briefly.

Mr. Smith, you mentioned the clash of cultures between NATO and the United Nations. I don't disagree that the situation is a serious problem. I serve as the Vice President of the North Atlantic Assembly, the parliamentary group of 16 NATO countries, and I am completing my first 2-year term there.

I think something very interesting is happening, around the American delegation, a delegation which I might add is quite di-

verse. They range all across the political spectrum in our delegation. They involve a significant number of people in terms of their duties like Chairman Dellums from across the bay, who Chairman of the House Armed Services Committee. And it is a bicameral representation.

One of the things that we have seen happen in the last several years is that the majority of European delegates have voted to make NATO subservient to the United Nations. They have said, we will not act with NATO forces unless we have United Nations approval. And the American delegation has resisted that effort, unsuccessfully of late. NATO is, of course, the most successful modern regional security organization. In some ways, with the collapse of the Soviet Union and the beginning of the post-cold war era, it seems to me that NATO was not prepared. NATO had not decided to proceed on variant issues, it had not created until last year the Combined Joint Task Force concept which is facilitating activities.

And, therefore, we didn't take the step when we needed to. It seems to the Chairman, perhaps, and to me and others, that when the conflict began in Croatia that NATO was too slow to respond. Why should regional organizations, if at all, be subservient to the United Nations? Why isn't it appropriate for NATO to have acted on its own in this instance? Why do we find this view that nothing can be done by regional organizations including NATO unless it has U.N. approval?

Mr. SMITH. I think the NATO treaty sets a pretty good standard when it raises the charter as the standard under which it understands its authority and under which it ought to establish its context.

However, that treaty did not make NATO regional organization within the meaning of the charter, that is, an organization that can only act with the approval of the U.N. And NATO has been quite correct over the years in maintaining itself as an independent actor, even through its standards of performance are precisely those that you find within the charter.

However, NATO's choice to act is not a choice that is necessarily constrained by prior approval of the United Nations. I think that the possibility of independent action is an important dimension of the credibility of NATO's participation. I am not quite as concerned—I am some what concerned, but I am not quite as concerned as some others who have spoken today—about ad hoc responses of the sort that we saw in Kuwait. To the extent that you get power from member states who determine that it is in their interests to respond to a situation, and that response is consistent with the interests of the majority of the members of the United Nations, then perhaps that collection of member states ought to be authorized to pursue this shared objectives.

But I don't think that in each instance, that collection of individual states ought to give up its independent ability to respond to a situation. I think it is the multiplicity of responses that does leave some credibility. In situations where the U.N. does not have capability but it claims to constrain the actions of other actors, that claim becomes incredible.

It leads to doubt in the mind of those sought to be deterred, those whose behavior is sought to be altered. They understand the

reality of the power distribution, and they are not going to believe that it would be necessary for NATO prior approval to act.

So I would think that the position that NATO has taken over time is the correct position.

Mr. BEREUTER. Mr. Smith, thank you very much. Almost perhaps instinctively, the American delegation to the North Atlantic Assembly has reached the conclusion you do, and we may need your assistance in better framing our argument to be persuasive.

Mr. SMITH. I would be happy to assist.

INTERNATIONAL INTERVENTION IN DOMESTIC CRISES REVISITED

Mr. BEREUTER. Secondly, and this is for any or all of you to respond to, it seems Mr. Daley raised the subject of Article 2, paragraph 7, which relates to a prohibition for involving the United Nations in what are essentially domestic jurisdictions, except in matters that threaten international security.

It seems to me today, with the collapse of the Soviet Union, and with reduced emphasis on the part of the United States and successor states of the Soviet Union, we have greater instability and the prospect for even more ethnic and racial strive.

How are we going to decide appropriately when we do intervene, given that we may be seeing genocide practiced? How do we draw the line these days on when the United Nations and its member states should become involved in what could be said to be by traditional definition the internal affairs of a country?

Mr. HAAS. There are a few guidelines. I was about to say simple, but by the time you apply them, they are not going to be simple. First, I would like to say that Article 2–7 is already being honored in the breach much more than in being observed. It is effectively a dead letter.

Now, nobody wants to admit this, and there is an occasional protest against this, particularly by countries who are being intervened against without their consent. But the fact is that nobody takes it seriously any longer. So the existence of the article does not deter any intervention. What I think ought to be the guiding principle is, do not intervene in a situation in which intervention isn't going to do any good. That is usually the case when you are trying to stop something that the parties are determined to see through.

I see no point in intervening in Liberia when the parties involved are determined to kill each other. I see no point in intervening in Angola as long as the two parties in that case are determined to pursue what they are doing. I would intervene had they given some indication that they have had enough fighting.

I would add only one exception to this abstinence rule I am proposing, that exception is genocide. Now, genocide goes beyond the threshold of what is tolerable. And there you should move, whether our country has agreed to it or not. But that requires the kind of standing force that we do not now have.

Mr. BEREUTER. So it is appropriate for us, meaning the international community, to involve ourself to prevent Bosnia, to protect the Kurds in northern Iraq, and involve ourselves in stopping the slaughter in Rwanda?

Mr. HAAS. No. I would say in the case of the Kurds, yes. It was a mission that was easily definable. It was a mission you could see through. It was a mission for which you had both consensus, international and national consensus, and the forces were in place.

In Rwanda, that was not the case. The defeated Army seems to be ready to start all over again. It is not a situation in which one can meaningfully intervene at all, unless you do it with overwhelming force. You would have had to deploy 50,000 men, which not even the French were willing to do.

In the case of Bosnia, I think the great mistake was that Chapter 7, which the Security Council invoked, that is to say, enforcement measures, was effectively sabotaged by Boutros-Ghali, by turning what could have been an enforcement operation into a failed peacekeeping operation.

Mr. SMITH. Just one brief comment. The one criterion that I think is the effective criterion now that ought not to be ignored is the CNN factor. In most circumstances the degree of willingness of countries to become involved is directly related to the degree of carnage that is seen in the international press.

And I am afraid that that leads to vastly skewed reactions. We have human rights problems that are happening in East Timor that are not discussed. We have horrible situations happening in the Sudan that are not discussed. They are not seen on CNN. Unfortunately, what we tend to respond to is that visibility factor, the CNN factor, and that I think is one of the things we ought to avoid.

OBTAINING POPULAR SUPPORT FOR INTERNATIONAL INTERVENTION

Mr. LANTOS. Will my colleague yield on that point for one second?

As much as I would like to agree with you, Professor Smith, it was this subcommittee which held the only congressional hearing in the United States and, I suspect, any place on the human rights atrocities in Timor where, as you quite correctly said, there was minimal CNN type publicity. But, since intervention ipso facto requires a tremendous degree of popular support, what other means would you expect except publicity to obtain that popular support?

Mr. SMITH. By publicity—by the CNN factor, I mean sporadic "if it bleeds, it leads" publicity. I believe your response in East Timor is precisely the kind of publicity that ought to occur, the exposure that ought to occur.

One of the things working for Senator Moynihan for a year, was an awareness of East Timor, because this is an issue he has followed for many years. I would be greatly encouraged if more members of responsible bodies were willing to pay the kind of attention that this committee has paid.

Mr. DALEY. Let me just say quickly, Congressman Bereuter, you asked very difficult questions. They are two separate questions, really. One is, what is the decisionmaking procedure for intervening in a specific situation, and the other is, what kind of criteria are there? And there are all manner around this world of gray areas, violations of human rights, civil wars, and interminable conflicts where a determination of whether intervention is warrented will be very difficult.

But some cases are easy, it seems to me. Rwanda, it seems to me, is an easy case. They were chopping off the heads of babies. They were herding hundreds of people into a church and setting it on fire, and countless other atrocities which I don't need to go into detail about to this audience. It seems to me that situations like that are easy cases where we can say, this is something that humankind simply is not willing to permit.

Moreover, it would not have taken all that much military capability. First world sophisticated military capability could have put a stop to that pretty quickly, and as Mr. Chairman said, I think arguably could have saved virtually all of those half a million lives.

In my view, the American Government and every other government around the world said, sure, we know we could do that, but it is just not enough of a threat to our national interests to be willing to risk something like a Somalia, a massacre of 18 American soldiers or maybe even a couple of hundred American lives might well have been lost.

I agree with that judgement. I don't challenge that. If America wants to make that kind of judgment about its own national interests, that's the way it is. But then I think it is incumbent upon as to come up with some kind of imaginative global institutions that can act in such a circumstance.

And I think this idea of having some kind of a standing volunteer world army that would not be contingent on crossing that national interest threshold is the best idea around.

EARMARKING A NATIONAL MILITARY FORCE FOR INTERNATIONAL OPERATIONS VERSUS ESTABLISHING A STANDING U.N. ARMY

Mr. BEREUTER. I would like to have seen some kind of an African organization capable of moving in there and dealing with that issue. That is a long way to happening yet.

You lead me to my third point, and that is directed to you, Mr. Daley. Professor Haas is suggesting we should have earmarked national contingency force. And I believe Mr. Smith has endorsed Article 43 capability. So that sort of leaves you alone, if I understand it correctly, in proposing a standing Army.

So how would you defend that versus an earmarked national contingency approach? Why isn't that a better approach than a standing U.N. Army?

Mr. DALEY. You are absolutely right in pointing out that it is a different concept. The Article 43 concept is that national governments will earmark and commit ahead of time, designate units ahead of time of their own national military establishments, to act in these situations.

Three points. First, it hasn't happened in 50 years. That is a pretty powerful point. Article 43 was written in 1945, like everything else in the charter was written in 1945. Not only has Article 43 not happened in 50 years, but it hasn't even happened in the past 5 years, since the cold war has ended and since the U.N. charter has been operating exactly as it is supposed to.

I am alone in this forum about this idea, apparently, but as a number of people have pointed out, the most prominent proponent of this idea is probably the most prominent commentator on United Nations affairs today—Brian Urquhart, Secretary Geneneral Dag

Hammarskoljd's deputy and the inventor of United Nations peacekeeping. I am not so much arguing on his behalf today, but arguing what I think is the essence of the concept.

The difficulty with Article 43 is the difficulty that I argued about, that we are still talking about national military contingents. Whether they make a commitment ahead of time or not, in each individual case, these national governments are going to have to argue to their own people, this intervention serves American national interests, or British or German or whosever national interests.

There were half a million people being slaughtered before our eyes in Rwanda. All of us were appalled by this, but in the United States, we couldn't make a legitimate argument that it really threatened the United States in any way, and therefore, it wasn't worth risking a single American life. Under Article 43 I think national leaders would still have to make that case to their people.

Finally, Professor Haas mentioned, we already have volunteer armies all around the world. The U.S. Army is a volunteer Army, many other countries have volunteer armies.

I would argue that what those people are volunteering for is to serve in an Army to protect American national interests or their own country's national interests. Again, American leaders would feel it necessary to argue to the American people, this is worth American lives, this is a threat of sufficient magnitude to American interests. The idea here, and this is the essence of Brian Urquhart's idea, is that these would be people volunteering to serve in a different kind of Army with a different kind of purpose than defending national interests, an army to defend what we all would agree are common human interests, an army to prevent crimes against humanity.

RESPONDING TO THE PROBLEM OF "FAILED STATES"

Mr. BEREUTER. Thank you. Do we need to be concerned about some new international response or mechanism for dealing with "failed states?" Some people would say "failed nation states." We have Africa cut up into many states that have no economic viability, that certainly have no cohesiveness in terms of ethnicity.

We have had Haiti on our doorsteps, a democracy for arguably 8 months out of the last 204 years, economic deprivation seems to be getting worse. The environmental problems there are disastrous, perhaps irremediable.

Do we need something to deal with these issues, and if so, what do you have to say in the way of a suggestion or solution?

Mr. SMITH. I am very troubled, very troubled by situations of this sort, that you see in Haiti and Somalia. But for sometime I have been persuaded by a number of the points that Secretary Shultz made, because it is of concern to me—and it is of concern to others around the world in states that may not be failed but may not be the most glowing of successes—that this could, if misapplied, become a new form of colonialism. If you look at the history of the 19th century, you find a number of interventions justified based upon the proposition that civilized standards were not being enforced in countries that turned out to be non-European countries.

In fact, enforcement of civilized standards was one of the bases upon which much of colonialism justified itself. If there were to be a mechanism of some sort to provide assistance in the context of failed states, it would have to be a mechanism that is very, very sensitive to the appearance that the North is trying to find a way to restructure the societies and cultures and life-styles of the south in ways that bring them to a form of "civilized behavior."

If you look at the standards of international law that are written into Article 38 of the International Court of Justice, one of the most offensive state, that one source of law is the common principles shared among "civilize" legal systems. This came from the Permanent Court of International Justice at a time when Japan was unable to have included the Treaty of Versailles a formal recognition of the equality of states, because Japan was not a white, Northern European state.

I am afraid that there must be a great deal of concern about this idea of failed states. Support, assistance, humanitarian or otherwise, is entirely appropriate. But the characterization of states as a failed state is a very, very frightening prospect to me.

Mr. BEREUTER. I understand your concerns, Mr. Smith. I do think, however, that there are prospects for fragments of the Soviet Union also logically being placed in this category. It is not entirely a North/South issue.

Mr. SMITH. My concern is that it would be perceived as a north/south issue. The claims for the response to this situation are very important and ought to be attended to. I would simply be concerned that they be appropriately cast to avoid this kind of mischaracterization, I have heard former diplomats from a number of parts of the world who are prepared to see this idea of failed states in exactly that way.

Mr. BEREUTER. Professor Haas, do you have anything to say?

Mr. HAAS. I am in complete agreement with what I just heard.

Mr. DALEY. Very quickly, and I fully share your concern about that difficulty as well, I think the answer to that is some kind of legitimate global democratic decisionmaking mechanism. When a State has failed, the world community is somehow going to have to make a judgment about whether to intervene or not to intervene.

And if the perception is that it is the great world powers, the northern powers, who have made this decision to intervene, that is not going to have any legitimacy with the world community. But if some kind of more democratic decisionmaking mechanism exists to make such a decision, so that, like it or not, most people will agree that, the voice of the world community has spoken on this, and has made a decision to intervene or not to intervene, then it will be much more difficult, I think, to argue that it is just another form of colonialism.

Mr. BEREUTER. The authors of this latest round of discussion about this in a Foreign Policy journal of last year I believe argued that this should happen, this kind of international response, only upon invitation of whoever is in charge of the country at that time.

Is that an important limitation on action? Is that an important qualification for action? Sometimes it can be very hard to find out who is in charge.

Mr. SMITH. This is the constraint that was faced in Somalia, that is, the identification of the proper authority causes many problems. And it is in fact one of the reasons that the General Assembly, when it looked at humanitarian intervention, passed a resolution that suggested that the consent ought to be the consent of the country rather than the State. The general assembly wanted to preserve an opportunity to pursue other sources of consent than formal governments.

But acquisition of consent, if it is pursued with sensitivity and acquired in some sort of generally credible manner, may very well avoid many of these sorts of concerns.

Mr. BEREUTER. Thank you very much. I want to thank you gentlemen for your work in preparing for this and for your testimony and responses here today. I think it has been very helpful. The record will be helpful to a great many people in the upcoming year. I think this subject obviously is going to have lots of attention, and it should.

I want to thank you, Mr. Chairman, for the foresight and initiative in putting together this hearing today.

Mr. LANTOS. Thank you very much, Congressman Bereuter.

I truly believe that with the three of you and Secretary Shultz we had a historic hearing. Now, I would like to call upon our host. On behalf of the Mayor of San Francisco, Mr. Terry Sellards—special assistant to the Mayor, who would like to make a brief statement.

We are very pleased to have you, sir.

Mr. SELLARDS. Thank you very much, Congressman. Congressman Lantos, Congressman Bereuter, the Mayor very much appreciated your personal letter to him to attend, and he was not able to attend, and so I am going to read a few excerpts from the letter of his written to you.

As the birthplace of the United Nations, San Francisco is planning the U.N. 50 celebration. It will include an unparalleled venue of commemorative, educational, cultural, entertainment, scholarly and other events. We are committed to honoring the founding of the U.N. and its first 50 years, and to explore new directions and approaches that should be taken as the U.N. attempts to adjust to the rapidly changing political milieu within which all nations find themselves.

U.N. Secretary General Boutros-Ghali has agreed to serve as honorary chair of U.N. 50, San Francisco, and will be a major participant in several of the events.

We will keep you posted on all of these events as they develop over the next few months. In addition to the formal commemorative events such as the signing reenactment and receptions and dinners with honored guests and speakers, there will be much more. Events planned include an interfaith service at Grace Cathedral including all the world's great religions; a gathering of Nobel Peace Prize winners to lend their wisdom to the future of the United Nations; a United Nations archive including the original U.N. charter; a special performance by the Royal Philharmonic Orchestra; gatherings of various governmental organizations instrumental to the formation of the U.N., such as Rotary International and the Commission on Global Governance.

Not only will U.N. 50 provide inspiration and new insights about the U.N., but San Francisco will also do its best to see that visitors enjoy their leisure time. We are sitting with greater cultural diversity than anywhere in world, with more ethnic groups, race, and nationalities represented that any of the world's great cities. More than 100 languages are spoken here.

This diversity will be highlighted as our various ethnic neighborhoods become involved in U.N. 50 and there is no end to the diversity of entertainment, food and other enjoyments that San Francisco has to offer from our provincial perspective. San Francisco has what the U.N. seeks to bring about worldwide, people of all cultures and nationalities living together in peace, cooperation, and mutual respect.

We believe the eyes of the world will be on us when we commemorate the U.N.'s historic founding, honor its 50-year quest for peace, and examine its future. As we commemorate the serious mission of the U.N., we will also celebrate the diversity of the world's people and become mutually inspired as we rededicate ourselves to the dream of world peace.

In addition to this excerpt from the Mayor's letter, the U.N. 50 Committee wanted me to make it very clear to you that they understand that your committee is interested particularly in focusing on the new era in which the cold war—in which cold war concerns have largely been replaced by a different set of security issues such as fragmentation of nation states and resulting ethnic problems, migration spurred by systemic poverty and depletion of natural resources.

That is why the city's commemoration of the 50th anniversary of the signing of the charter will include a number of substantive forums as well as city-wide cultural celebration.

I might add that most of the Bay Area's educational institutions—University of San Francisco, Berkeley, Stanford and many others are involved in the forming of various sorts of studies to do just this sort of thing.

Mr. LANTOS. I want to thank you, Mr. Sellards. I want to thank the Mayor for his statement. Let me just say, and I think I speak for my good friend, that this subcommittee on a bipartisan basis, stands ready to assist in any way we can in the celebrations here in San Francisco.

I want to thank our panelists. I want to thank Congresswoman Pelosi for joining us in the earlier part of this hearing; the Secretary of State, Mr. Shultz; and our staff. Since term limits are not yet in effect, we look forward to a similar hearing at the end of the second 50 years of the U.N.

This hearing is adjourned.

[Whereupon, at 1:25 p.m., the subcommittee was adjourned.]

APPENDIX

GEORGE P. SHULTZ

George P. Shultz was sworn in on July 16, 1982 as the 60th U.S. Secretary of State and served until January 20, 1989.

Mr. Shultz graduated from Princeton University in 1942, receiving a B.A. degree in Economics. That year he joined the U.S. Marine Corps and served through 1945. In 1949, Mr. Shultz earned a Ph.D. degree in Industrial Economics from the Massachusetts Institute of Technology. He taught at M.I.T. from 1948 to 1957, taking a year's leave of absence in 1955 to serve as a senior staff economist on the President's Council of Economic Advisors during the Administration of President Eisenhower.

In 1957, Mr. Shultz was appointed Professor of Industrial Relations at the University of Chicago Graduate School of Business. He was named Dean of the Graduate School of Business in 1962. From 1968 to 1969, Mr. Shultz was a Fellow at the Center for Advanced Study in the Behavioral Sciences at Stanford.

Mr. Shultz served in the Administration of President Nixon as Secretary of Labor for eighteen months from 1969 to June 1970, at which time he was appointed the Director of the Office of Management and Budget. He became Secretary of the Treasury in May 1972, serving until May 1974. During that period Mr. Shultz served also as Chairman of the Council on Economic Policy. As Chairman of the East-West Trade Policy Committee, Mr. Shultz traveled to Moscow in 1973 and negotiated a series of trade protocols with the Soviet Union. He also represented the U.S. at the Tokyo meeting on the General Agreement on Tariffs and Trade.

From 1974 until his appointment as Secretary of State, Mr. Shultz was President and a Director of Bechtel Group, Inc. During this period Mr. Shultz also served part time on the faculty of Stanford University.

Prior to his appointment as Secretary of State, Mr. Shultz was Chairman of President Reagan's Economic Policy Advisory Board. Mr. Shultz was awarded the Medal of Freedom, the nation's highest civilian honor, on January 19, 1989.

In January 1989, Mr. Shultz rejoined Stanford University as Professor of International Economics at the Graduate School of Business and Distinguished Fellow at the Hoover Institution.

Mr. Shultz's publications include: Turmoil and Triumph: My Years As Secretary of State (1993), Economic Policy Beyond the Headlines (1978), Workers and Wages in the Urban Labor Market (1970), Guidelines, Informal Controls, and the Market Place (1966), Strategies for the Displaced Worker (1966), Management Organization and the Computer (1960), Labor Problems: Cases and Readings (1953), The Dynamics of a Labor Market (1951), Pressures on Wage Decisions (1950).

Mr. Shultz holds honorary degrees from Notre Dame, Loyola, Pennsylvania, Rochester, Princeton, Carnegie-Mellon, CUNY, Yeshiva, Northwestern, Tel Aviv, the Weizmann Institute of Science, Baruch College of New York, and the Hebrew University of Jerusalem.

Mr. Shultz was born in New York City on December 13, 1920 and spent his childhood in Englewood, New Jersey. He is married to the former Helena M. O'Brien of Nashua, New Hampshire. They have five children.

ERNST B. HAAS

Robson Research Professor of Government, UC Berkeley

Curriculum Vitae

Born: March 31, 1924, Frankfurt (Main), Germany. U.S. citizen since 1943.

Married: Hildegarde Vogel, 1945. Children: Peter Michael (b. 1955)

Education:
B.S., Columbia University (1948)
M.A., Columbia University (1950)
Ph.D., Columbia University (1952) in Public Law and Government
Also attended University of Chicago, 1942-43
U.S. Army, Military Intelligence Service, 1943-46

Career:
Teaching and Research Assistant, University of Chicago, 1950-51
University of California, Berkeley - Department of Political Science
Instructor, 1951-53
Assistant Professor, 1953-58
Associate Professor, 1958-62
Professor, 1962-
Institute of International Studies
Associate Director, 1965-67
Acting Director, 1967-68
Director, 1969-73

Research:
International relations theory with emphasis on the concepts and process of international integration. Special interest in the United Nations and its specialized agencies and regional organizations in Europe and Latin America.

Principal Investigator: "Studies in International Integration" (1965-74); "Studies on International Scientific and Technological Regimes" (1974-79); Institute of International Studies, University of California, Berkeley.

Fellowships and Grants:
Research has been supported by the Rockefeller Foundation (1956-63; 1974-79); Social Science Research Council (1955-56; 1960-61; 1963-65); and Institute of International Studies (1960-70).

Honors:
Member, Commission to Study the Organization of Peace, 1960-1977
Fellow, American Academy of Arts and Sciences
Member, Committee on International Organization, Social Science Research Council (1963-68)
Guggenheim Fellow, 1973-74.

Professional Activities:
Consultant to many publishers and several foundations
Consultant to International Social Science Association
Contributor to Encyclopedia Americana,
International Encyclopedia of the Social Sciences
Consultant, U.S. Department of State, until 1970
American Political Science Association. Member of its Council (1962) and its Committee on Professional Ethics (1968-71)
Task Force on International Institutions, Murphy Commission, 1975
Board of Editors, International Organization; Chairman, 1977-78
Various consulting editorships
Consultant United Nations, 1981, 1984
Consultant, Commission on Global Governance, 1993

HOW TO KEEP THE UNITED NATIONS FROM SLIDING DOWN THE SLIPPERY SLOPE OF INEFFECTIVENESS

Submitted to the Committee on Foreign Affairs,
U. S. House of Representatives by Ernst B. Haas,
Robson Research Professor of Government,
University of California, Berkeley. October 24, 1994

Major suggestions for reforms in United Nations tasks, institutions and procedures are listed on pp. 12-17.

I. Changes in the Environment of International Security since the End of the Cold War

Though the vagaries of world politics are still with us despite the end of the cold war, the overall environment in which UN operations designed to maintain the peace take place has changed enormously. A variety of novel tasks has been delegated to the UN, tasks which previously had been accomplished by member states or had not been on the international agenda. The chief novelty is the emergence of civil wars as the main threat to peace. Before discussing these it is well to evaluate security tasks traditionally assumed by the UN because the continued performance of such tasks may well be endangered if the organization is now asked to assume new burdens it is unable to shoulder effectively.

Traditionally, the UN was often asked to moderate interstate disputes by purely pacific means-- fact-finding, mediation, conciliation-- either by the Security Council, a committee of the General Assembly, or increasingly the Secretary-General; generally, such efforts were not successful. Traditionally, the UN was also called upon to stop interstate wars--restrain and punish aggression--if peaceful settlement failed. Thus force was successfully used in Korea and against Iraq; economic sanctions short of military force were voted against South Africa and Rhodesia, both instances of intervention in what was then still

considered "domestic" affairs. Full-scale sanctions, voted under chapter 7 of the Charter, always accomplished what the UN demanded. But their success was due to "permissive enforcement"--the delegation of voluntary enforcement authority to a coalition of member states led by the U. S.--not obligatory UN operations launched in conformity with Charter rules under the authority of the Military Staff Committee. That committee was deadlocked because of the cold war and remains inoperative because of U. S. reluctance to place American troops under UN authority.

In a piece of creative statesmanship, "peacekeeping" was invented in 1956 by Canadian Prime Minister Lester Pearson and Secretary-General Dag Hammarskjold to separate belligerents in a war when both parties consented and seemed ready to quit fighting, but did not trust each other. The more limited practice of UN truce supervision and observation had been invented in 1948. Both have been practiced with enormous success ever since: in Kashmir, the various Arab-Israeli conflicts, Cyprus, and in two Iran-Iraq wars. These practices were successfully imitated by the Organization of American States (Dominican Republic, Soccer war) and the Organization of African Unity (Chad, Algeria-Morocco war).

Since the end of the cold war peacekeeping was enhanced to cover the termination of civil wars and was successfully used in Nicaragua, El Salvador, Mozambique and Croatia. It was used "preemptively" in Macedonia. Less than totally successful peacekeeping operations in Cambodia, Western Sahara, Somalia, Angola, Bosnia and Rwanda should make us pause: perhaps intervention in civil war is not an appropriate UN task after all.

In the post-cold war international security environment civil rather than interstate wars have been the main cause of conflict and suffering. As the UN Charter does not give the organization jurisdiction over such conflicts, their actual domination of the current UN security agenda represents a brand-new and dangerous development. Matters of essentially domestic concern, including the form of governance, the observance of human rights, famine relief, and local administration, have become part of the mandate of peacekeeping forces and may also manifest themselves in future acts of military enforcement, UN-run or permissive. The current international security agenda looks like this in terms of new tasks already given to UN forces:

* stopping civil wars and disarming the parties where NOT all the belligerents were ready to end the fighting (Angola, Cambodia, Liberia, Western Sahara, Somalia, Rwanda);
* protecting and feeding civilian populations (in some of the above civil conflicts and in Bosnia);
* establishing democratic institutions (Nicaragua, El Salvador, Haiti, Angola, Mozambique);
* halting genocide and mass expulsions (Bosnia, Rwanda);
* enforcing arms control agreements (Iraq, Cambodia).

To these we add some more novel tasks which might easily evolve soon, and have already been suggested by reformers of the UN, though there are no actual examples of them as yet:

* monitoring the observation of basic human rights in

situations in which violations had been discovered by UN bodies;

* monitoring the observance of environmental regulations in situations in which international ecological disaster is possible;
* monitor international arms control agreements and undertake surgical strikes in case of particularly egregious violations; similar activities might be undertaken if an international agreement regulating the arms trade were to come into being;
* help curb international terrorism, the drug trade and criminal networks.

IT IS MY CONSIDERED OPINION THAT IF THE UN WERE TO BE SADDLED WITH ALL, OR EVEN MOST, OF THESE RESPONSIBILITIES IT WOULD RAPIDLY SLIDE DOWN THE SLIPPERY SLOPE OF INEFFECTIVENESS, AND THEREBY BRING DISCREDIT EVEN ON THE TASKS IT NOW CARRIES OUT EFFECTIVELY. Secretary-General Boutros Boutros-Ghali has eloquently argued that because in the modern context of international interdependence, everything interacts and conditions everything else, the ensemble of problems ought to be under UN jurisdiction. Because economic deprivation influences domestic conflict, domestic conflict may erupt into civil war, the persecution of minorities, mass expulsions and even genocide. Should therefore economic development become part of the definition of international security under the sway of the Security Council? Clearly, faulty economic planning can lead to ecological disasters which may trigger international conflict. Should therefore be the environment be put on the Security Council's agenda? A non -linear or even a nested interdependence among issues surely exists. If its existence were made the occasion for a massive and very inclusive redefinition of collective security the very functioning of the UN would be put in jeopardy. Very wise beings from other galaxies might be able to plan and implement such holistic programs, but not our generation of fallible policy-makers.

Why not? A holistic approach to post-cold war international security matters would demand a very wide consensus on what constitutes justifiable multilateral intervention in the domestic affairs of nations. The Bosnian case clearly shows how difficult it is to get agreement on what outside agencies ought to be able to do, as the Somali case did earlier. Obviously the belligerents disagree since each sees outside intervention only as helping or hindering its own cause. But the intervening states and organizations do not agree either. They quarrel over the mission of the peacekeeping forces, over the dangers to which the troops should be exposed (should they be expected to suffer normal casualties or not?), over the means of warfare to be employed. As the lack of consensus between the UN and NATO shows, the intervening agencies also may disagree over the seriousness of truce violations and over the best means to prevent their recurrence. Nor do the intervening powers always see eye to eye over the outcome which the intervention is to achieve: peace,

justice, retribution, reconciliation? Striving for justice and retribution is likely to make impossible the attainment of reconciliation and peace.

In addition to lack of substantive consensus, holistic peacekeeping is likely to suffer from lack of material support. While over half of all UN members have contributed truce observers and peacekeepers at some time, the core of the reliable support has come from a few countries: Canada, the four Nordic nations, Austria, Ireland, Fiji, India, Pakistan, Netherlands. France and Britain have disproportionately contributed to a few operations. Russia, Germany and Japan are only now making cautious, tiny contributions; China has declined to associate itself with any UN operations. Long periods are required to find troops for authorized operations and bring them to the troublespots. There is no training of potential observers and peacekeeping forces except by the semi-official International Peace Academy for seconded national personnel. Very few countries--none of the permanent members of the Security Council--have earmarked or trained personnel for UN service. There are no multilateral military exercises of the kind familiar in NATO.

More serious still, it appears as if the main contributors of peacekeeping forces are not prepared to accept casualties as something to be expected. On the first sign of danger to its personnel, Japan limited the deployment its forces in Cambodia and Rwanda. The U. S. proved unwilling to defend the UN mission in Somalia when casualties were suffered; British forces in Bosnia are risk-averse. Member states, particularly the U. S., continue to be very lax in paying their financial contributions for peacekeeping. These conditions do not justify any optimism about the UN's living up to the enhanced security task suggested by the post-cold war. world.

II. An Improved but Modest UN Task

The post-cold war emergence of civil wars as the main threats to peace, of course, does not mean that the danger of old-fashioned interstate conflict has disappeared. Hence we must first think about the ability of the UN in continuing to meet this kind of threat to world peace. Are enforcement practices and traditional peacekeeping still adequate?

Enforcement measures under chapters 7 and 8 of the Charter have never been institutionalized or subjected to any standard operating procedures. On each occasion when such measures were authorized by the Security Council (or the General Assembly under the "Uniting for Peace" Resolution) actual operations were delegated to a coalition of members willing and able to undertake them. Enforcement was "permissive", not obligatory. In point of fact, the United States, each time it received authority from the UN to undertake military operations, would, in all likelihood, have intervened unilaterally in any case. The UN provided a figleaf for American policy.

This practice will not suffice in a future of increased interdependence in which the membership calls for new multilateral

tasks and wants the UN to act in a manner in which it does more than merely front for its most powerful member. If the U. S. wishes to lead, but not so steadily and continuously as to have to shoulder all the new burdens all the time, it has no choice but to seek a more institutionalized multilateral military capability to enforce Security Council decisions. Only by creating such institutionalized practices, and animate them with a standing coalition of potential "enforcers", can leadership be combined with sharp limits on American contributions in human, financial and material resources.

Traditional peacekeeping is a truly multilateral enterprise, though it too is poorly institutionalized and suffers from too much ad hoc improvisation. The increasing difficulties experienced by the Secretary-General and staffing and mounting the many new peacekeeping and truce observation missions is proof that the system needs improvements. It too depends overly on the willingness of a few countries to make it work, and on coalitions of supporting states that vary with the occasion. But despite these difficulties, peacekeeping and truce observation have been extremely effective IF AND WHEN the peacekeepers and observers were not burdened with tasks other than separating and monitoring belligerents who had already come to the conclusion that further fighting was not desirable. Things get very much more complicated when peacekeepers are asked to disarm uncooperative militias, impose limits on violence the parties are bound to disobey, feed and house refugees who are being attacked or courted by the same militias, capture war criminals, and dislodge dictators so as to install democratic politicians. THESE ENHANCED TASKS HAVE SO FAR NOT BEEN CARRIED OUT SUCCESSFULLY ANYWHERE. If peacekeeping is to be retained as a valuable multilateral tool for protecting international security it should not be expanded into areas where it is bound to fail. Why threaten its future viability, even if its reach is more limited than enthusiasts for multilateral action demand?

Intervention in civil wars and in situations involving the displacement of a non-democratic government also runs up against the lack of consensus on what constitutes justifiable multilateral intervention. Perhaps there is an emerging global norm that only democratic governments are to be considered legitimate, but one cannot be sure about this. In the meantime we ought to remember that transitions to democracy are especially difficult to manage by outsiders. Unless there is a large, patient and committed domestic constituency that tolerates the participatory politics of constant compromise and bargaining no amount of UN intervention will help. There are many kinds of democracies; they do not all respond positively to outside intervention. The monitoring of elections is not enough to assure the implantation of democratic procedures; yet that is mostly what multilateral intervention amounts to after the demise of the authoritarian regime.

Since the danger of failed intervention is at least as great as the likelihood of success, I urge that acts of enforcement and peacekeeping be confined to these situations:

* to prevent and punish aggression by one state against another;
* intervene in a civil war only to reimpose peace terms on the party that has reneged on earlier agreements, provided the earlier agreement had resulted from UN mediation or conciliation;
* to enforce violations of international agreements banning the possession, manufacture or trade of weapons of mass destruction;
* to prevent genocide;
* to protect an established democratic polity from antidemocratic armed challenges, but not to protect a dubious or fictitious one;
* protecting refugee camps under the administration of other UN bodies, or UN-affiliated NGOs.

So much for the use of force. Good arguments can be made for the use of non-coercive but still intrusive multilateral measures for the achievement of other UN objectives. These would still constitute justifiable intervention. The following situations come to mind:

* monitoring the observance of basic human rights after a UN body has determined the existence of serious violations;
* monitoring the observance of limits on the arms trade;
* monitoring allegations of the existence of serious ecological threats to neighboring states.

Ineffective multilateral intervention is immoral. It leads to expectations that cannot be fulfilled. The record of earlier interventions, even those mounted by the International Monetary Fund and the World Bank, suggests sharp limits on effectiveness. This is true especially in situations in which the objectives of the intervenors are very complexly linked, when a nested set of objectives makes the attainment of any one hyperdependent on the attainment of several others. All good things do not often go together. Any aggregating of methods, contexts and objectives of intervention that leads down the slippery slope of incalculable and indefinite involvement is not only inappropriate and unwise, but also immoral because it misleads victims and compromises the organization's ability to carry out tasks it does well. Bosnia and Somalia were mistakes of overaggregation and overcommitment that should not be repeated.

III. Possible Reforms of UN Ways to Maintain Peace

The suggestions of reform offered here are made without regard to the immediate political climate required to make them realizable. The suggestions are meant to improve the military capability for effective multilateral action, the building of the consensus necessary for authorizing the limited operations proposed, and the institutional changes that more effective decision-making seems to require.

1. First and foremost, the financial basis for peacekeeping operations must be solidified. Since, after decades of appeals, the record of member states in making their allotted payments in time has not materially improved, thought must be given to alternative ways of raising revenue. The tax on minerals mined from the bottom of the sea is not realistic as long as there is no deep-sea mining. Several alternatives have already been proposed; they ought to be considered further. One is an airport tax, to be levied on all departing passengers on international flights at all airports. Such taxes are charged routinely in many countries now, though their proceeds do not benefit the UN. Some airports in developing countries may object that the burden is greater on them than on airports in developed countries. An alternative would be a tax on international air tickets to be collected by airlines or travel agents. Such a tax would be borne largely in developed countries because they furnish the bulk of international travelers.

2. The Military Staff Committee (or some equivalent body) ought to be asked to make contingency plans for the deployment of troops, in various mission combinations and sizes, in order to allow enforcement measures that do not rely on the "permissive" techniques of the past. This involves the earmarking of national units for international service and the before-need training of officers in joint operations. It also calls for the creation of before-need intensive links between the UN the national intelligence agencies.

I do not propose that the Military Staff Committee assume the powers of commanding a UN enforcement mission. However, the Committee ought to designate the commanders of specific operations after consulting the military staffs of the major contributors to the force or forces.

3. The Secretary-General ought to be authorized to maintain panels of officers and other officials who would serve on various monitoring missions to be authorized in the future, in such task areas as arms control, ecology watches, observation of elections, and the protection of human rights. Arrangements for the joint training of such persons ought to be made, possibly through national governmental or private organizations.

4. Traditional peacekeeping operations should be put on a more institutionalized basis even if their tasks are not expanded to include the missions ineffectively implemented in Somalia and Bosnia. Contributing countries ought to be encouraged follow the example of Canada and the Nordic states in earmarking and training units for such duty. Moreover, earmarked units ought to train and conduct exercises jointly before being deployed. Officers ought to be seconded for training regularly to such agencies as the International Peace Academy.

5. Such far-reaching innovations cannot be implemented without a firm consensus among a group of countries that can be expected to be the core of the participants. It is the major powers, globally and regionally, who must approve of operations and contribute disproportionately. This means that countries not now "in the loop" ought to be persuaded to take a greater interest. It

also means that small countries who have done the bulk of UN peacekeeping ought to be rewarded with some form of special representation. Permanent and special representation in the Security Council is the symbolic recognition of such a special role in being part of the coalition responsible for world peace. Hence I propose the following major changes in the composition and procedure of the Security Council, which will necessitate amending the Charter:

* Expand the number of permanent members to 12 by adding Germany, Japan, Brazil, Mexico, Nigeria, India and Egypt to the present five. Adding these countries will accomplish two things. It will tie them to the group making major contributions in personnel, lure them into greater participation by means of greater recognition as being major powers. It will also provide symbolic recognition to major regional powers whose support is to be sought in wooing other small states in their regions to the collective effort.

* Expand the number of non-permanent members to 12 and retain the present informal system of regional representation. This will allow the building of larger supporting coalitions drawn from all parts of the membership and induce some developing countries thus recognized to make more generous contributions to peacekeeping and monitoring operations.

* Change the formula for authorizing enforcement, peacekeeping and monitoring operations by abolishing the unanimity rule and substituting therefore a weighted voting rule similar to that used in the International Monetary Fund (or the Council of the European Union?). Such a rule would weight countries by population, GNP, and military capability, such that the U. S. would emerge with the largest number of votes. A vote authorizing an operation would need some minimum of the total number of votes, perhaps 75 or 80%. (The rule for authorizing the issuing of SDRs comes to mind). The U. S. would then be able to block a decision by itself, or in coalition with a few non-permanent members; but a very substantial coalition would be necessary to authorize an operation. Weights ought to be calculated so that a combination no larger than four permanent members (other than the U. S.) plus four non-permanent ones would be able to block a decision.

* Add to the Security Council's standing committees a new body made up countries who have contributed to more than half of all UN peacekeeping and truce observation operations. This body would be consulted whenever a new operation is being contemplated, thus giving them kind of enhanced status and symbolic recognition that is likely to reenforce their extraordinary support for the UN.

Why should any country consent to give up its veto? Why would the U. S.? Such an act of self-abnegation is conceivable only if the decisionmakers realize that not to do so incurs long-range costs even less pleasant than losing influence in the short run. The U. S. finds itself in the schizophrenic position of wishing to lead in the maintenance of international security without paying much in terms of money or casualties; the interventionist and the isolationist impulses coexist and inhibit a clear course. One solution is to share leadership with like-minded nations. But sharing implies an act of self-abnegation. Moreover, without an American moral initiative none of the other permanent members is likely to surrender its veto.

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TESTIMONY BEFORE THE SUBCOMMITTEE ON INTERNATIONAL SECURITY, INTERNATIONAL ORGANIZATIONS AND HUMAN RIGHTS OF THE COMMITTEE ON FOREIGN AFFAIRS UNITED STATES HOUSE OF REPRESENTATIVES

BY
EDWIN M. SMITH

October 24, 1994

Because of changes in the global order, the United Nations must reevaluate both its founding assumptions and its accepted operational routines and traditions. Besides facing new opportunities and new problems, the UN may also be finding that effective response to emergencies may be impossible without the cooperation and support of other organizations and of specific member states having special capabilities. On a reading of the provisions of the Charter, an uninformed observer could reach the false conclusion that the UN is able to respond on its own motion to international emergencies. In fact, practical considerations have forced the UN to seek the cooperation and support of specialized international organizations and critically powerful member states.

In general, we should all support cooperation between international institutions in pursuit of shared goals. Unfortunately, the process of cooperation forces compromises that may place important values under pressure. As the United Nations responds to crises, both its goals and its actions are structured to serve important international values. By remaining attentive to those goals, the UN preserves it most valuable asset: the perceived legitimacy of its undertakings. If the UN finds that adequate responses to crises have become impossible without the involvement of other international institutions, it may find that it must tailor its responses to the requirements of those cooperating organizations. The goals and procedures of those organizations will constrain the possible options. Some will claim that the United Nations, an international organization having a general membership, has become subservient to the special interests of a small group of states or a single powerful state. While such an imbalance serves the near term interests of the powerful minority, the long term cost of such situations to the credibility of the United Nations cannot be ignored by any concerned with preserving the option of collective international action.

International efforts to cope with conflict in the former Yugoslavia show many of the problems In attempting to adjust to the necessity for cooperation in responding to Bosnia, the

United Nations and the North Atlantic Treaty Organization (NATO) have faced particular difficulties in making adjustments On a number of recent occasions, NATO officials have formally announced the willingness of the organization to assist the UN in peacekeeping and peace enforcement operations. In Bosnia, NATO has undertaken air operations to implement a "no-fly" zone, to provide air support for peacekeeping forces, and to enforce weapons exclusion zones in designated areas. NATO and the Western European Union (WEU) have conducted joint naval operations to enforce trade sanctions. Because the United Nations lacked the military capabilities necessary to accomplish the ends dictated by the Security Council, NATO's undertakings have proved critical to the credibility of the UN mission in Bosnia. However, NATO and the UN have differed radically on the mechanisms for implementing the tasks delegated to the alliance. Recent press reports have portrayed the continuing difficulties encountered in establishing policy for the enforcement of weapons exclusion zones through NATO air strikes, demonstrating the marked differences between the cultures of NATO and the UN when questions involving the use of force are at issue.

Similar questions are raised when the special capabilities of powerful states provide the only means for responding to emergencies. In those situations, the willingness of the particular state to become involved can determine whether any facade of "international" response is possible. When that willingness is perceived to grow from special historical interests, the legitimacy of the action may be questioned, raising doubts about the credibility of the UN as an arbiter of international involvement in domestic conflicts. Cases involving Rwanda, Russia, and Haiti come to mind as examples.

After the U. S. announced that it would vet future uses of military coercion under the standards applicable in Presidential Decision Directive 25, the crisis in Rwanda provided the first application of the standards. Approval of a UN resolution was delayed to the dismay of some states. In the interim, significant loss of life occurred, causing some to argue that the unilateral imposition of the U. S. standards frustrated a multilateral response. Later, when France, a state with historical connections in the region, offered to intervene, its offer was accepted by the Security Council in spite of the contention by some of the combatants that French motives were biased In these two cases, international response was tailored to permit the approval or participation of a powerful state. Similar arguments could be raised about Russian involvements in conflicts in Georgia and Moldova. Although some contend that Russian peacekeeping operations provide support for selected factions in service to historical imperialistic objectives, recent statements by U.S. officials have suggested the appropriateness of Russian initiatives assuming review by the United Nations. Finally, although action against the Haitian junta had received approval in principle by the Security Council in advance of U. S. military operations, the factors announced in immediate justification of the operation highlighted particular American concerns that needed to be met Again, some might argue that the UN provided a fig leaf for action in the interests of a single state or a small group of states.

Obviously, the United Nations Charter was drafted with these considerations in mind. It was assumed that the agreement of powerful states would be the *sine qua non* of any multilateral

action, that belief stood as the source of the veto power in the Security Council. In reality, multilateral action will always depend on the assent of particular states having political, military, financial or geographic advantages for responding to the particular crisis at hand. My concern is that the changing nature of international conflicts, turning from interstate to intrastate violence, creates particular risks for the viability of the United Nations as a potential arbiter of legitimate and neutral multilateral responses. As individual states undertake initiatives that have been sanctioned by the Security Council, and as NATO undertakes peacekeeping or peace enforcement operations, the United Nations may lose any ability to play an authoritative and unbiased role in responding to international crises. To the extent that this ability of the UN has value, explicit standards for the involvement of individual states and international organizations in UN actions are required.

I would like to raise one final thought. The question of war powers has been raised with regard to the recent U. S. military operation in Haiti. Presidents have consistently argued that the constitutional war power did not preclude executive action without prior approval by the legislative branch The evolution of events in Haiti provided a textbook example of the use of the imminent threat of force to supplement urgent diplomatic action. If prior congressional approval had been required in this instance, the successful outcome may not have been possible. If peacekeeping and peace enforcement are to play a major role in contemporary foreign relations, a role that may prove more prominent than traditional full-scale warmaking, then even more reason exists for the reconsideration of reliable procedures for coordination and cooperation between the branches on questions involving the war power.

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BIOGRAPHY OF EDWIN M. SMITH

Edwin M Smith, the Leon Benwell Professor of Law and International Relations, graduated with honors from Harvard College, later receiving his J.D. from Harvard Law School. After litigating for three years with Rosenfeld, Meyer and Susman in Beverly Hills, California, Smith spent one year in Seattle as a regional attorney for the National Oceanic and Atmospheric Administration. Since 1980, Smith has taught at the Law Center of the University of Southern California. Named an International Affairs Fellow of the Council on Foreign Relations, he served during 1987-1988 as Special Counsel for Foreign Policy to Senator Daniel Patrick Moynihan of New York. During 1991-1992, he was Visiting Professor of Law at the University of Pennsylvania.

Smith is a member of the Council on Foreign Relations, currently participating on the Advisory Selection Committee for the International Affairs Program. Having served on the Executive Council and the Nominating Committee of the American Society of International Law, Smith is now chair of the International Organizations Interest Group. He is presently a member of the Executive Committee of the Board of Directors of the Academic Council on the United Nations System and a member of the National Council of the United Nations Association of the United States. Smith participates on the Membership Task Force of the Pacific Council on International Policy. He has also served as a member of the Advisory Committee of the Asia Foundation's Council on Asian Pacific Affairs. He has been invited to join the State Department's Advisory Panel on International Law. He has also served as a consultant to the Ford Foundation's Program on International Law and Organizations.

Smith participated in the Council on Foreign Relations Study Group on Collective Involvement in Internal Conflicts and the Study Group for the Carnegie Endowment's Project on Self-Determination. A member of the Council on Foreign Relations NATO/European Community Briefing Delegation in May, 1992, he has subsequently lectured on cooperation between United Nations and NATO in peacekeeping at Universidad Juan Carlos III in Madrid, Yale University, the Claremont-McKenna Colleges, International Studies Association Annual Meeting in Acapulco, Mexico and the 1994 U. S.-Japan-Canada Trilateral Conference on International Law in Tokyo, Japan. He has spoken on economic sanctions at the Liberal Party Conference in Vancouver, Canada, the United Nations Secretariat in New York and at Stanley Foundation conferences at Airlie, Virginia and Annapolis, Maryland. He has served twice as co-chair of the Workshop on International Organization, sponsored by the American Society of International Law, the Academic Council on the United Nations System, and the Ford Foundation.

Smith's recent writings include THE UNITED NATIONS IN A NEW WORLD ORDER (co-authored with Michael G Schechter), *Changing Conceptions and Institutional Adaptation in* Keith Krause and Andy Knight, eds., THE UNITED NATIONS IN THE TWENTY-FIRST CENTURY (forthcoming); *NATO and the European Community: Troubled Transitions*, USC LAW 2-11 (Fall 1992), *The United Nations: Meeting the Challenges of the Post-Cold War World*, 87TH ANNUAL PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 268-272; *The Need for Effective Multilateral Sanctions*, 86TH ANNUAL PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 303-308; *Understanding Dynamic Obligations: International Arms Control Agreements*, 64 SOUTHERN CALIFORNIA LAW REVIEW 1549 (1991); *The "Just War" and its Aftermath*, LOS ANGELES LAWYER (May, 1991); and *Unilateralism or Multilateralism: The U.S., The U.N. and the Iraq Crisis*, LOS ANGELES LAWYER (November, 1990).

TAD DALEY
EXECUTIVE DIRECTOR
THE CAMPAIGN FOR A NEW UNITED NATIONS CHARTER
SPEAKER INTRODUCTION

Tad Daley has spent 15 years enrolled in various university degree programs, a figure currently being examined by the authorities at the Guiness Book of World Records. He is often accused of being a "perpetual student," and is repeatedly asked by his family when he is going to get a "real job." Tad has:

* a Bachelor's degree in Political Science from Knox College in Galesburg, Illinois,

* a Master's degree in International Affairs from the University of Southampton in England (where he was a Rotary Foundation Graduate Fellow),

* a Law degree from the University of Illinois (where he specialized in international law),

* and he expects soon to receive his Ph.D. in Public Policy Analysis from the RAND Graduate School of Policy Studies in Santa Monica, California.

People say many things about Tad Daley, but "uneducated" is not one of them.

After receiving his law degree Tad worked as an attorney in Atlanta for two years, and then embarked upon the work/study Ph.D. program in policy studies at The RAND Corporation, the only one of its kind in the world. He specializes in both Russian foreign policy and United Nations affairs in his work for the International Policy Department at RAND, and he has published a number of articles in both areas.

Tad is presently serving as the Executive Director of a new activist citizens initiative, The Campaign for a New United Nations Charter. He will argue today that although many of the structures of global governance enacted in the United Nations Charter of 1945 remain relevant and vital, taken as a whole they will not be adequate to meet the great global challenges of the dawning new millennium. Moreover, those structures of global governance are profoundly undemocratic, at a time when democracy is purportedly the only legitimate mechanism for the governance of human affairs. As a consequence, he will argue, in 1995 the international community ought to activate Article 109 of the UN Charter, and initiate a process that will lead in this decade to convening a "World Summit for a New UN Charter."

Congressional Testimony

Tad Daley,
Executive Director,
The Campaign for a New United Nations Charter

Before

U.S. House of Representatives
Committee on Foreign Affairs
Subcommittee on International Security,
International Organizations and Human Rights

Mr. Chairman, thank you very much for inviting me to testify before this special hearing of your Subcommittee. I want to commend you for convening this hearing both today, on the 49th anniversary of the enactment of the United Nations Charter, and here, in San Francisco, the city where the framers of the United Nations Charter designed the global structures to address the global challenges of the post-Second World War world. I can think of no more appropriate time or place to begin considering what kinds of global structures will be most appropriate for the dramatically different global challenges of the world of the 21st century.

I have brought along with me today my prepared statement, which I will summarize, a copy of our nascent Campaign's "Citizens Petition to convene a World Summit for a New UN Charter," and our nascent list of endorsements for it as it stands on UN Day 1994. If the call for such a world summit becomes a significant voice in the policy debate during the United Nations 50th anniversary year in 1995, these first two dozen "prominent signatories" will stand among the first individuals who took an early stand on this issue, and really helped get the idea off the ground. I respectfully request that these materials be included in the record.

I will speak today about three topics:

- Restructuring the UN Security Council and democratizing global decisionmaking.
- Developing a standing volunteer world army for the enforcement of world law.
- Activating Article 109 of the UN Charter, to convene some kind of a comprehensive UN Charter review conference before the end of this century.

UN SECURITY COUNCIL RESTRUCTURING AND THE DEMOCRATIZATION OF GLOBAL DECISIONMAKING

An important debate is clearly taking place today about this question: "Who should sit on the United Nations Security Council?" The five permanent Security Council members — Britain, France, China, Russia, and the United States — were, of course, the five leading victors of the Second World War, and arguably the five "greatest world powers" when the United Nations Charter was agreed upon and enacted, in 1945. The constellation of "great world powers" today, of course, is decidedly different. And so, the argument goes, the greatest world powers of our own age must somehow be granted permanent seats as well.

Security Council Recomposition

Everyone seems to agree that Japan and Germany must become permanent members of the Council, though with or without "the veto" is unclear. These two countries are probably the second and third richest countries in the world today, and they are definitely the second and third largest contributors to UN activities. Japan, in fact, contributes more to the UN budget than Britain and France put together, and already wields influence in UN affairs through its financial clout. But that is not nearly enough. Japan and Germany clearly desire a substantially greater voice in the leading global decisionmaking forum.

Many argue that a place at the table must also be found for "regional powers" of substantial weight, such as India, Brazil, Indonesia, Egypt, Nigeria, and a number of others as well. When UN observers suggest that states such as these ought to gain permanent Security Council membership, the argument usually is based not on any vast international weight those states maintain by themselves, but on the need for some representation of Latin American or Muslim and Arab or African interests as a whole. (India, arguably the "greatest world power" after the seven already mentioned, stands as an important exception.)

But that notion, that a Nigeria or a Tanzania could or would represent broader interests, raises a whole host of difficult questions regarding the criterion for selection. Are we simply looking for the major political and military powers in the world today? Should economic power instead perhaps be the primary criterion? None of today's permanent five members are formally expected to represent interests other than their own, nor do they in fact seem very often to do so. Could we really expect great regional powers to defend and promote interests in the Security Council forum beyond their own perceived national interests? Should we?

Security Council Continuation?

Mr. Chairman, in my view these sorts of difficult issues arise because we are asking the wrong question. Before we address "who deserves a seat" on the UN Security Council, we need to ask whether a global political organization for the world of the 21st century should be centered around a great power security council at all.

The great power collective security structure of the San Francisco Charter was designed primarily to prevent another Adolf Hitler from threatening international security. That Charter itself inherited the idea of great power collective security from the the Concert of Europe, established in 1815 to prevent another Napoleon Bonaparte from threatening international security. The contemporary debate over the composition of the Security Council seems to take as self-evident that as long as the "greatest world powers" of the day are fully represented on a great power security council, the San Francisco Charter of 1945 contains global structures fully appropriate for the world of the 21st century.

If I were a time traveler just arrived and had just tuned in to that debate, I would surely assume that the human community had already conducted a broad and elaborate debate on the prior question, and concluded that a council of the greatest world powers of the day tasked with the performance of collective security was the optimal form of global political organization. But has anyone in this room ever heard that kind of question asked on the Washington Post op-ed page, or National Public Radio, or the MacNeil-Lehrer News Hour? No such debate has even begun to take place in the mainstream policymaking community.

The danger of a repetition of the 1930s today is far from the greatest danger facing the human community as we approach the 21st century. It is far from self-evident that a collective great power security council is the only conceivable kind of mechanism for global decisionmaking, let alone the optimal one for the challenges of the dawning new millennium. Moreover, the mechanism of global decisionmaking enacted in the San Francisco Charter of 1945 is profoundly undemocratic — at a time when democracy is purportedly the only legitimate mechanism for the governance of human affairs.

World Community of Democracies and Democratic World Community

Mr. Chairman, if we believe that democracy is the optimal, or even, in Churchill's famous phrase, the best possible form of human governance, then I believe we must aspire toward it at all levels of human governance. Some observers maintain that any democratization of our main global decisionmaking structure — the UN Security Council — would complicate the ability to reach consensus, and inhibit "decisive action" just as the UN seems capable of beginning to fulfill its potential. I find it difficult to understand this objection by people who profess to believe in democracy. Various human communities maintain democratic decisionmaking structures at all other levels of human governance, and they are rarely paralyzed into complete inaction. They are often contentious in their procedures, but they usually manage to produce some kind of public policy, however imperfect. Is there something fundamentally different about a global decisionmaking structure?

If "decisive action" is the only thing we value, perhaps we should reduce the Security Council's permanent members with veto from five to one. Or perhaps we should abolish the United States Congress, and simply turn over all American policymaking to the American president. These reforms would make for decisive action. Democratic decisionmaking is difficult, but in most arenas of human governance in the late 20th century, we consider its benefits to exceed its costs. As we approach the 50th anniversary of the United Nations, more and more people around the world are arguing that in the largest, global arena of human governance, the benefits of democracy will exceed its costs as well.

Many, possibly even most members of various international affairs policymaking communities outside the United States see the UN Security Council as anachronistic, unrepresentative, and henceforth illegitimate. "On today's agenda," said Mikhail Gorbachev in his provocative May 1992 address at the site of Winston Churchill's "Iron Curtain" speech in Fulton, Missouri, "is not just a union of democratic states, but a democratically organized world community." "Democracy within the family of nations means the application of its principles within the world Organization itself," said Boutrous Boutrous-Ghali at the close of his landmark *Agenda for Peace* document in June of 1992. "To retain the structure of the Security Council in its present form," according to Nigerian President Ibrahim Babangida, "is to run the risk of perpetuating what is at best a feudal anachronism." As the Malaysian Prime Minister, Mahathir Mohammad, asked at the 1991 General Assembly: "Are we going to be shackled forever to the results of the Second World War?"

The United Nations Security Council as presently constituted faces no less than a crisis of legitimacy. Surely we have had enough experience with democracy in the United States to know that over the longer term, legitimacy is necessary for credible authority. Surely we must recognize that we will only be able to pursue our own interests through the United Nations over the long term if the United Nations is perceived to have some legitimacy. President Clinton has often spoken of "the enlargement of the world community of democracies" as one of the central objectives of American foreign policy. People in the rest of the world maintain that there can be no such thing as a world community of democracies unless it is a democratically governed world community. As the former Japanese diplomat and United Nations Assistant Secretary General Tatsuro Kunigi has argued, to do no more to the United Nations Charter in 1995 than to add Japan and Germany and a few other major regional powers to Article 23's roster of permanent Security Council members would perpetuate and even reinforce the undemocratic nature of the Charter, and

would run "counter to the distinct and increasingly broad current around the world calling for global democratization."

The Veto: Undemocratic AND Indecisive

Furthermore, Mr. Chairman, the San Francisco Charter contains an institution not only profoundly undemocratic, but an institution that could "inhibit decisive action" far more than any conceivable democratization of global decisionmaking structures — the institution of the great power veto. Nothing could be more undemocratic than the ability of a single state to stand against the whole of the human community, and to command that whole into inaction and powerlessness. And although the veto has become a rarity since the end of the Cold War, it is not difficult to imagine a quick shift in the political winds in Moscow or Beijing, and a quick relegation of the UN to the irrelevancy it maintained for four long decades after its inception.

A central objective of a conservative leadership in Moscow, however objectively harmful it might seem to Russian national interests, might be simply to reverse the national humiliation stemming from the collapse of the Soviet empire, and to oppose the United States and the West at every opportunity. Russian UN Security Council vetoes, simply as a means of demonstrating national pride and independence, are far from inconceivable. China, for its part, may at some point start to veto all UN interventions in the internal affairs of sovereign states, which generally, as Chinese Prime Minister Li Peng has frequently argued, use human rights issues "as an excuse." If China finds itself in the midst of a protracted post-Deng power struggle, those controlling the levers of power may see for themselves a net benefit in standing up to the West as the great defender of sovereignty, and in opposing and vetoing all proposed United Nations initiatives which constitute, in Beijing's view, "interference in domestic affairs."

Some historians maintain that but for the insistence of Joseph Stalin, the veto might not have become part of the San Francisco Charter at all. Consider for a moment the absurdity of humankind entering the twenty-first century with a global political organization that has, as its single most important characteristic, a rule of decision insisted upon by one of the two great tyrants of the twentieth century — a tyrant, moreover, who ruled through his terror a country which no longer exists. Are we willing to allow the responses of the human community to the great global challenges looming over the horizon to hinge on such things as the stability of Boris Yeltsin's position or Deng Xiaoping's health? Many people argued in 1944 and 1945 that the veto would doom the new international organization to impotence and irrelevancy. A half century later, Mr. Chairman, I believe that those voices have been proven correct. Over the longer term in a contentious world, a UN Security Council with a great power veto will surely find the experience of its first forty years to be the rule, and that of the past 3-5 years an uncommon exception.

Global Democratization: Substantive Ideas, Visionary Ideals

A number of ideas already exist regarding how democratic decisionmaking might be brought to the global level, ideas that go well beyond simply updating the composition of the UN Security Council. The well-known "Binding Triad" would assign additional "weight" to a member state's individual vote on the basis of its population and financial contributions, and pursue only those global policy decisions supported by most of the countries, most of the people, and most of those paying the bills in the world. Many have discussed the possibility of somehow restricting the representation of the unadulterated dictatorships of the world, since they don't "represent" their own citizens in any meaningful sense of the word.

Some ideas go even further and reconsider the "Westphalian paradigm," and suggest that actors other than states might maintain some kind of formal representation at the global level. Some advocate setting up a "second chamber" at the UN, so that while national governments would maintain their national representatives in a first chamber, citizens around the world would directly elect their own local representatives to a UN "parliamentary assembly." Other ideas would provide some representation for stateless ethnic groups, so that Kurds and Sikhs and indigenous peoples could have some representation in the affairs of the planet. Some have proposed that an imaginatively revised UN Charter might contain both rights and responsibilities for transnational entities such as citizens movements, business and professional and worker associations, moral, spiritual and religious bodies, and the movers of multinational capital and commerce and communications. And some of the most visionary thinkers maintain that a true global democracy will endeavor to fully represent not just all the parts of the human community today, but the longer-term interests of the whole of the human community and of the planet on which we reside.

Mr. Chairman, I do not propose that all of these ideas could or should be on the international affairs agenda next year, during the UN's 50th anniversary in 1995. What I do propose is that the debate should proceed from the premise that democracy is the optimal form of human governance at all levels of human governance, and that we should aspire to move toward it at our largest, global level of human governance. As the human community develops more and more into a single global civilization, and as our fates become increasingly more intertwined, I believe that we should begin to aspire, as we approach the new millennium, toward the ideal envisioned by Alfred Lord Tennyson over a century ago — the creation of "a parliament of humankind."

A STANDING VOLUNTEER WORLD ARMY FOR THE ENFORCEMENT OF WORLD LAW

Internal Intervention — When in the Interests of the Great World Powers

Mr. Chairman, it is widely known that you are the only member of the United States Congress who is a survivor of the greatest crime of the 20th century, and arguably of any century: Hitler's war of annihilation against the Jews. It is important, I think, for us to recognize the position of the San Francisco Charter and contemporary international practice with regard to the Holocaust. Under the international practice that prevailed in the 1930s, everything that Hitler did within the borders of Germany before September 1, 1939 simply was not the business of the rest of the international community. And despite the resounding post-war resolution to "never again" permit such barbarities to be perpetrated on Planet Earth, Article 2, Paragraph 7 of the 1945 UN Charter essentially ratified that practice, by prohibiting UN intervention "in matters essentially within the domestic jurisdiction of any state" (unless judged somehow to threaten international security).

We have seen in the post-Cold War world a creeping erosion of 2 (7), and an increasing tendency to intervene in the internal affairs of sovereign states. (The UN resolutions usually stretch to discover some threat to international security in the internal conflict at issue.) The international community is clearly willing today under some circumstances to intervene within national borders to put a stop to crimes against humanity. But what we have seen in the post-Cold War world, most notably in Bosnia and Rwanda, is that the international community *only* seems to intervene against such crimes *if* the conflict in question somehow threatens a critical mass of the vital interests of the great world powers. Perhaps more precisely, the great world powers seem to choose to intervene only

when the benefits for those powers of putting a halt to whatever crimes are being perpetrated exceed the costs and risks.

Bosnia, of course, provides the quintessential example. Both tangible American interests and our national moral sensibilities have been "threatened" by the aggressions and barbarities perpetrated by the Serbs during the past three years. But acting determinatively to put a halt to those aggressions and barbarities would entail vast costs and risks for the United States as well. On balance, American policymakers have apparently concluded, the costs and risks of significant American action in Bosnia are greater than the substantial benefits of action. The United States has acted arguably according to a rational (though clearly debateble) assessment of its own national interests.

The Problem: No Alternative to National Armies

Mr. Chairman, I know that none of that is news to you, or to anyone in this room. But it is my contention that what we have seen in the post-Cold war world is the essential flaw at the heart of the collective security structure of the 1945 UN Charter: the dependence of that structure on the actions of *national* armies. Because a structure for the maintenance of human security that depends on national armies, whose *raisons d'etre* are to protect their own national interests, will in the end not prevent organized violence which does not threaten a critical mass of the national interests of other states, however horrifying. The record of the post-Cold War world demonstrates unambiguously that great power collective security only works when the vital interests of great powers are sufficiently threatened.

The great power collective security structure of the 1945 UN Charter has been working for the past half decade exactly as it was intended — there's only been one veto cast in nearly five years in the United Nations Security Council. But while that collective security structure has proven itself in the post-Cold War world capable of opposing unambiguous threats to the interests of the great powers, like those which have been posed by Iraq, it has proven itself incapable of preventing violations of human security which don't appear to the great powers to sufficiently threaten their own interests, like rape camps and mass machete massacres in places like Bosnia and Rwanda. The great powers sitting on the UN Security Council have demonstrated that they are only willing to dispatch their own national armies when the benefits exceed the costs and risks. Under the great power collective security structure of the San Francisco Charter, as clearly shown by the way it has operated in the post-Cold War world, if another Hitler commenced another Holocaust today, our great power collective Security Council would only intervene if the benefits for the permanent Security Council members of putting those crimes to an end outweighed the costs and risks. If not, the Holocaust would happen again.

The Alternative: A Standing Volunteer World Army

Mr. Chairman, there is another alternative to great power collective security dependent upon national armies and hard calculations of national interests. It is the idea of creating a standing volunteer world army to act in the enforcement of world law. The *raison d'etre* of a standing world army would be to defend not individual national interests, but common human interests. Its mission would be to enforce world laws — laws which made things like rape camps and mass machete massacres illegal anywhere on Planet Earth. The human community would have an instrument at its disposal that could put a stop to crimes against humanity — not just when they threatened some critical mass of great world power national interests, but because it was the moral imperative of a civilized human community.

Central to the success of such a world army would be that it would be composed entirely of volunteers — women and men who had volunteered and trained to defend our common human interest in not allowing crimes against humanity to be inflicted upon any member of the human community. With such a standing volunteer world army in place, American leaders wouldn't have to face the agonizing dilemma of simply watching hundreds of thousands of Rwandans be slaughtered, because they could not conclusively demonstrate that such slaughter threatened American national interests enough to be "worth" risking American lives. And I think many individuals all over the world would be eager to volunteer for such an exciting and noble new endeavor. Human beings by the millions around the world volunteer to serve in national armies to defend their nation's interests. Certainly many thousands would volunteer to serve in an army of humanity, to defend the common interests of the family of humankind.

The development of such a force, of course, could serve as a great deterrent, and make the very kind of violence it was created to prevent less likely to occur. Potential aggressors of the world would no longer have the option of trying to shape their contemplated aggression so that the costs and risks of action for the great world powers would exceed the benefits. Tyrants and thugs around the world would slowly but surely learn to govern their domestic affairs not according to the prevailing winds in the UN Security Council, but under the expectations of a global rule of law.

The idea of a standing volunteer world army, of course, is not Tad Daley's idea. It is an idea that has been around for a long time, and whose most prominent proponent today is probably the most prominent commentator on UN affairs in the world today, Brian Urquhart. "A small, elite permanent UN force composed of volunteers," Mr. Urquhart has written, "could be immediately deployed ... unencumbered by the typical hesitations of member governments about deploying their own troops in international ventures. A public authority that cannot immediately send its police officers to the scene of a disturbance will soon lose all public confidence. The same applies to the UN in international crises. ... [The alternative is] to go backward into an anarchic age, in which countries and peoples retire into themselves and put up walls, in a desperate attempt to keep the world out and to protect purely national interests."

The standing volunteer world army envisioned here would not eventually aim at replacing every other army in the world. The United States would still maintain a strong national defense establishment for the protection of vital American interests. The idea is to create a different kind of army, an army not to eventually perform the mission that the American military establishment already performs — the protection of vital American interests — but to act when mass organized violence doesn't sufficiently threaten the vital interests of the United States or anyone else.

Practical Challenges and Ultimate Aspirations

Mr. Chairman, I do not for a moment underestimate the problems and difficulties that would face an effort to create a standing volunteer world army. It is conceivable that Article 2 (7) of the San Francisco Charter could be rewritten to prohibit certain kinds of atrocities within national borders and to codify intervention in the domestic affairs of sovereign states. But while it is relatively easy to ban such things as herding Bosnian women into rape hotels, or herding Rwandans of the wrong tribe into a church and setting it on fire, there are a great many more gray areas of human rights which will be very difficult to define, let alone to achieve consensus upon. Who would authorize the dispatch of a standing volunteer world

army, and how, is another thorny question — though it seems clear, as I discussed earlier, that the more democratic the global decisionmaking structure empowered to make such decisions, the more legitimate those decisions will be. The question of what the human community could, would, or should do if substantial crimes against humanity began to occur within the borders of a major world power like China, standing volunteer world army or not, defies satisfactory response. And the practical challenges of establishing, recruiting, training, financing, and developing doctrine for such an army would be undoubtedly immense.

As I indicated when I spoke about global democracy, Mr. Chairman, I do not envision that by the end of 1995 we can be well on the way toward launching a standing volunteer world army for the enforcement of world law. The establishment of such an army is clearly many years down the road.

But what I do propose is that we set this essential concept as our essential aspiration for dealing with the Bosnias and the Rwandas that will surely come again. What I do propose is that we do not have to tolerate "non-vital interest slaughters" like Bosnia and Rwanda forever until the end of time. What I do propose is that we can aspire toward a world with universal standards of civilized behavior which apply to every individual on the planet every place on the planet, and with sure and certain enforcement mechanisms to ensure that those standards are for the most part respected and upheld. What I do propose is that our descendants can live under a world rule of law, where barbarities of a certain nature and magnitude will simply not be permitted by the family of humankind. A standing volunteer world army enforcing universal world law is humankind's best hope to be able to say in response to Bosnia and Rwanda and Auschwitz: "Never again."

ACTIVATING ARTICLE 109 TO CONVENE A WORLD SUMMIT FOR A NEW UN CHARTER

Mr. Chairman, I have spoken about two broad global issues where I believe we ought to set broad goals for ourselves regarding the kind of global structures we ultimately would like to create. These, of course, are only two of a wide range of global issues, albeit among the most significant. But there are a wide variety of other issues where it is imperative that humankind begin designing global structures adequate to address the global challenges of the 21st century.

Contemporary Global Challenges

In November 1992, a collection of 1575 scientists from around the world, including 104 Nobel prize winners, issued a joint declaration which they called "The World Scientists Warning to Humanity." The statement maintained that global macrotrends such as deforestation, ozone depletion, ocean degradation, rapid species loss, and the underlying engine of global population growth were moving inexorably to threaten the viability of our planetary biosphere itself. If not soon addressed, these interrelated processes would likely lead to "conflicts over scarce resources ... mass migrations with incalculable consequences for developed and undeveloped nations alike... (and) spirals of ... social, economic and environmental collapse." "No more than one or a few decades remain," said the scientists, "before the chance to avert the threats we now confront will be lost, and the prospects for humanity immeasurably diminished."

As our global community becomes increasingly interconnected, isolated problems no longer exist. Drug trafficking, terrorism, AIDS and other pandemic disease, unregulated global arms profiteering, the vast waste of human capital engendered by perpetual poverty,

the chronic hunger and starvation which destroys the lives of hundreds of millions of human souls every year, mass migration, inexorable population growth, the relentless degradation of our common biosphere — these now affect our common human community far more immediately than the great power conflicts the United Nations was originally designed to prevent.

An Anachronistic Global Charter — But A Charter Open to Change

Mr. Chairman, I assure you that I am not proposing that any possible kind of "new United Nations Charter" can provide all the answers to these great global challenges of the 21st century. But today's Charter doesn't even address the questions. The Charter of the only global political organization we have today says absolutely nothing about most of the major global issues we face today. The words "population," "migration," "famine," "poverty" and "environment" do not even appear in the 1945 UN Charter (let alone words or concepts such as "biosphere" and "ecosystem"). The 1945 UN Charter contains not a single word about the myriad of challenges which increasingly pose the greatest threats to our common human security. These were not the sorts of problems the San Francisco framers were thinking about. They were developing global structures to address entirely different challenges in an entirely different world.

We obviously cannot blame the San Francisco framers for these omissions — they could not possibly have foreseen such things as the possibility that billions of internal combustion engines burning carbon-based fuels could lead to the irreversible warming of our entire planetary biosphere. But one thing they could foresee, and did, is that their already rapidly changing world was going to continue to rapidly change, and that the global structures they designed for the global challenges of their own age would have to change as well.

That is why they included in the United Nations Charter Article 108, which allows Charter amendments upon the approval of two thirds of the member states including all five permanent Security Council members, and Article 109, which provides for a "general charter review conference" upon the approval of the same two thirds including any nine members of the Security Council. Moreover, the San Francisco framers apparently hoped that such a general conference would take place relatively soon. In Article 109 (3) they lowered the threshold, so that if such a conference had not been called by the tenth General Assembly session — 1955! — it could then be convened upon the approval of only a majority of the General Assembly and of any seven members of the Security Council. Unfortunately, by then the world and the United Nations was paralyzed by the great confrontation between East and West, and policymakers largely forgot that the provision was there.

Fulfilling the Original Intent

Mr. Chairman, now that that great Cold War confrontation has passed onto the rubble heap of history, it's time for us to remember the "original intent" of the San Francisco framers. I recommend that next year, during the United Nations 50th anniversary in 1995, the international community should initiate a series of world meetings, similar to the meetings held at Dumbarton Oaks and Bretton Woods in 1944, that would lead by 1998 to a "World Summit for a New UN Charter," similar to the conference held in San Francisco in 1945. This process would aim to consider alternative world order possibilities, to engage in discernment and decision about the best possibilities, and to develop and agree upon a better United Nations Charter, containing global structures both more democratic and more

appropriate for the looming challenges of the dawning new millennium. And I don't see any reason at all why the culminating World Summit shouldn't be held right here, in the city of San Francisco. The process finally would send the new Charter back home for ratification, and would aim to enact and put into force a imaginative new UN Charter before the end of this century.

In American constitutional law the "original intent" of the framers is often cited as the final standard of judgement. If we look to the original intent of the framers of the UN Charter, it seems clear that they did not intend for their Charter to serve as a permanent structure for an impermanent and fast-changing world. Those who revere the present UN Charter, and who feel that we "ought to give it a chance to work," ought to revere the whole Charter and the whole intent of the framers — most especially, their apparent desire not to bind their heirs forever to the global structures they created for their own particular time and place.

Expanding Our Global Political Imaginations

A commitment by the international community in 1995 to convene some kind of general UN Charter review conference by 1998 can serve as the engine of our global political imagination. Scheduling such a conference would provoke a great conversation in the public space, and would generate innumerable ideas about improving our global structures for the emerging world. Many of the people in this room could become deeply involved in innumerable commissions and symposia and working groups and preparatory conferences, laboring as the architects of the global structures of the 21st century. Setting a deadline for such a conference would generate the political will to deliberate over and decide upon the best of the ideas. And aiming for ratification and enactment by the year 2000 would engage all the symbolism and inspiration accompanying the dawn of a new millennium.

Mr. Chairman, as I'm sure you're aware, I'm not the only person talking about this idea. You may be familiar with the *Stockholm Initiative on Global Security and Governance*, which shortly after the Gulf War received the endorsement of such international political luminaries as Benazir Bhutto, Willy Brandt, Gro Harlem Brundtland, Ingvar Carlson, Jimmy Carter, Bernard Chidzero, Vaclev Havel, Robert McNamara, Julius Nyerere, and Eduard Shevardnadze, and which proposed such bold measures as "the elaboration of a global law enforcement mechanism," "the levying of fees on the emission of pollutants affecting the global environment," "a review of both the composition of the Security Council and the use of the veto," and the convening of "a World Summit on Global Governance, similar to the meetings in San Francisco and Bretton Woods in the 1940s."

In the spring of 1993 the respected Americans Talk Issues Foundation conducted a nationwide opinion poll, and found that 62% of American registered voters would support U.S. participation in a world conference to review whole of the United Nations Charter, with less than a quarter (24%) neutral and only 10% opposed. I think that result will come as some surprise to those in the international policymaking community who think there's nothing to talk about other than putting Germany and Japan on the Security Council. And how, I wonder, might such a poll come out if one were taken just among citizens of the San Francisco Bay area?

Moreover, many individuals of great distinction have talked about comprehensively redesigning the UN Charter throughout its 50 year history. Robert Maynard Hutchins was president of the University of Chicago for nearly a quarter century, and is considered by

many the leading educational reformer of the 20th century. President Hutchins thought that the United Nations Charter was already so obsolete by 1947 that he wanted to skip Article 109 altogether, and instead convened a distinguished group of scholars which called itself "The Committee to Frame a World Constitution." In 1969 C. Wilfred Jenks, the great British international legal scholar and longtime official of both the League of Nations and the United Nations, wrote a book called *The World Beyond the Charter,* which he opened by saying that "an increasing number of responsible voices can be heard to say that just as the League of Nations was superseded by the United Nations, so must the United Nations be superseded by something more effective."

And I imagine, Mr. Chairman, that you are familiar with Governor Harold Stassen of Minnesota. He is, I believe, the only living delegate to San Francisco Conference and the only living signatory of the United Nations Charter of 1945. I like to think of him as a voice in the wilderness, a man with the courage to challenge conventional wisdom and to speak unseasonable truths. In 1990 the only living signatory of the San Francisco Charter authored a "Draft Charter for a Better United Nations Organization." In the preface to that document, he wrote: "I am realistic about the difficulties ... (although) I do not consider (them) to be as great as were those we confronted in making the original start 45 years ago. ... We were not naive, we did not declare that we had guaranteed future peace. We said we had established a beach-head in the age-old struggle of the peoples to find the path of lasting peace." Governor Stassen invites us to begin to pursue the same sort of process today.

Less Satisfactory Outcomes

The global problems identified by those 1575 scientists will be addressed in the coming half-century one way or another. Some of you may know Professor Richard Falk of Princeton University — I know Congressman Smith of the Subcommittee represents New Jersey. Falk maintains that "some variant of geo-governance" is bound to emerge in the decades ahead, "but the form it will take depends on the outcome of struggle and the politics of conviction." The human community, says Falk, can try to get a handle on global population growth today, or we can wait for war, famine, disease, and sociopolitical breakdown to do the job for us tomorrow. I just heard a radio commercial for a transmission shop or something, where the punchline was: "you can pay me now, or you can pay me later." We can endeavor to build some form of workable global structures and global community, or we can wait for the emergence of global cataclysms and global fascisms — in forms difficult today to imagine.

Mr. Chairman, not only do I believe that next year is an extraordinary opportunity to launch a process of global deliberation over the whole of the United Nations Charter, but I believe that Security Council recomposition alone would be literally the worst-case scenario for the United Nations. Security Council restructuring by itself in 1995 would simply change the actors without rewriting the play, and leave the global structures created a long half century ago essentially in place. Moreover, it would almost certainly take all the steam out of any attempt at UN Charter revision for many years to come. No great debate would occur in the second half of this decade about the best possible democratic global structures for the emerging new world. And the human community could be stuck for another 10 or 20 or 50 years with global structures both profoundly undemocratic and profoundly inadequate for confronting our greatest global problems.

Citizens Movements, Political Leaders, and American Interests

It's time for the policymaking community to start asking not "who should sit on the United Nations Security Council," but "what kind of United Nations Charter would we design if we were designing it from scratch today?" As you know, Mr. Chairman, I represent a nascent organization which aspires to move policymakers to start asking that kind of question, *The Campaign for a New United Nations Charter*. Our sole objective is to build both policy credibility and political constituency for the idea of "activating Article 109," and convening something like a "World Summit for a New UN Charter." Our "Citizens Petition" does not advocate any particular structures of global governance for our emerging new world. It maintains instead simply that the human community should not take the San Francisco system we have inherited as a given, but should launch a process of deliberation to expand our global political imagination. We are trying to assemble a broad coalition of supporters who might have a number of different world order visions, but who can all agree on a call for a global process of discernment and decision about the most appropriate vision for the challenges of the 21st century. I believe that such a call to action can mobilize a mighty citizens movement and become a major force in the 1995 UN policy debate — a force, Mr. Chairman, that government policymakers can lead if they seize the opportunity.

Alvin Toffler, who as I'm sure you know writes about the rapid and still accelerating pace of change in virtually every aspect of human existence, has said that what led him to write his influential work *Future Shock* in the first place was his perception that "99% of what politicians do is keep systems running that were laid in place by previous generations of politicians." I think a great opportunity exists for a visionary political leader to get out in front of this issue, to take the lead in promoting the idea of modernizing the United Nations Charter for our emerging global challenges, and perhaps even of convening a world summit for that purpose right here in San Francisco. I think it presents one of Toffler's "1%" opportunities, an opportunity to get in the arena and to grapple with the movement of history.

If no American political leaders manage to seize that opportunity, it is quite possible that the United States will be forced to participate in such summit in any case. I'm sure you noticed, Mr. Chairman, that under Article 109, the permanent five members of the UN Security Council cannot veto the convening of a general Charter review conference. It does not seem to me at all inconceivable that the forces which currently have essentially no voice in global decisionmaking could muster enough support to cross the Article 109 threshold, even if every single one of the permanent five members were opposed. And then we would see the dismaying spectacle of the United States of America being dragged kicking and screaming into such a world conference, with the rest of the world perceiving us as promoting rather than hindering the forces of human progress.

Mr. Chairman, the United States is the greatest power in the world today. I want to see the United States take the lead in developing and promoting a vision of world order for the 21st century. An Article 109 conference might not come out exactly as the United States might want it to come out. But we have substantial international political influence and capital to invest in such a process, and would significantly influence the outcome. And if we took such a lead in promoting such a process it would reflect very well on the United States, and would create immeasurable political capital with much of the rest of the world. It would produce a legacy of visionary American leadership in global affairs that would last well into the 21st century.

The Legacy of San Francisco

Mr. Chairman, I don't know if you've read much about the history of the conference here in San Francisco in 1945. Something very dramatic and moving happened during that assemblage, because right in the middle of the conference, Franklin Delano Roosevelt died. If you drive from San Francisco across the Golden Gate Bridge and turn left, before long you will arrive at John Muir Woods, home of the oldest living things on Planet Earth. I imagine you've been there, Mr Chairman. If you walk along the right path back into the forest a few miles, you will come across a heavy metal and stone plaque set solidly into the earth. It's dated April 29, 1945 — more than a week before the surrender of Nazi Germany, more than three months before the atomic devastation and surrender of Imperial Japan, less than three weeks since the death of perhaps the greatest statesman of the age. The plaque says this: "Here in this grove of enduring redwoods, preserved for posterity, members of the United Nations Conference on International Organizations met on April 29, 1945, to honor the memory of Franklin Delano Roosevelt: Thirty-First President of the United States, Chief Architect of the United Nations, and Apostle of Lasting Peace for all of Humankind."

Mr. Chairman, Franklin Delano Roosevelt and Winston Churchill and Cordell Hull and Harold Stassen designed a pretty good world organization for preventing another Adolph Hitler. And I have little doubt that the spirit of FDR, out there in those woods, is looking today for the architects of a world organization to face the quite different challenges of the dawning new millennium. And I have little doubt too that President Roosevelt would encourage us, and maybe even give us a swift kick in the seat of the pants, to get busy on developing better global structures for the world of the 21st century, democratic global structures adequate to address global problems and to promote human progress, global structures that can bring lasting peace for all of humankind. Thank you very much.

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